

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.994 OF 2023
WITH
INTERIM APPLICATION NO.17819 OF 2023
IN
APPEAL FROM ORDER NO.994 OF 2023

....

Sayli Latesh AdivarekarAppellant/Applicant

V/S

The Chief Executive Officer (Engineer)

MHADA

...Respondent

...

WITH

WITH

APPEAL FROM ORDER NO.997 OF 2023

WITH

INTERIM APPLICATION (STAMP) NO.33221 OF 2023

IN

APPEAL FROM ORDER NO.997 OF 2023

Bharati Motiram Adivarekar

....Appellant/Applicant

V/S

The Chief Executive Officer (Engineer)

MHADA

...Respondent

...

Mr. Shivraj Kunchge for the Appellants/Applicants.

Ms. Sayali Apte i/b Mr. P.G. Lad for Respondent-MHADA.

...

CORAM: SANDEEP V. MARNE, J.

DATE : DECEMBER 20, 2023.

P.C.:

1 Heard the learned Counsel appearing for the Appellants and the learned Counsel appearing for the Respondent-MHADA.

2 These Appeals were heard on 8 December 2023. However on the request of Mr. Lad the hearing of both the Appeals were deferred to 20 December 2023 (today). This Court restrained Respondent-MHADA from acting on the impugned notices, since the hearing was deferred on account of request made by the learned Counsel appearing for the Respondent-MHADA.

3 Today Ms. Apte, the learned Counsel appearing for the Respondent-MHADA, after taking instructions from the officer who is present in the Court, makes a statement that the *ad-interim* order granted by this Court on 8 December 2023 can be continued till the decision of the Notices of Motion by the City Civil Court.

4 Accordingly, both the Appeals are disposed of by restraining Respondent-MHADA from acting on the impugned notices till the decision of the Notices of Motion filed by the Appellants/Plaintiffs for grant of temporary injunction. The City Civil Court shall expedite the hearing of the Notices of Motion and make an endeavour to decide the same as expeditiously as possible, preferably by 31 March 2024.

5 In view of the disposal of both the Appeals, both the Interim Applications do not survive and the same are disposed of accordingly.

(SANDEEP V. MARNE, J.)