IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/APPEAL FROM ORDER NO. 35 of 2020

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PRADIP KALYANBHAI JAVERI

Versus

MUNICIPAL COMMISSIONER

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Appearance:
MS HELLY PARIKH(9450) for the Appellant(s) No. 1
MR ANUJ K TRIVEDI(6251) for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE SANDEEP N. BHATT**

Date : 29/01/2024

ORAL ORDER

1. This appeal arises from the common impugned order dated 31.12.2019 passed in Civil Suit No.341 of 2019 and other cognate matters, whereby the learned trial Court has dismissed the notice of motion Exh.6/7.

2. Heard learned advocates.

3. Mr.Anuj Trivedi, learned advocate for the Corporation submits that during the pendency of the appeal, the demolition of compound wall for the purpose of widening the road and installing the paver-blocks in footpath is over and the said work will be carried out as expeditiously as possible.

4. Ms. Helly Parikh, learned advocate for the appellant confirms that during the pendency of this appeal, the compound wall is demolished, but no work for paver-

blocks on footpath is carried out by the Corporation till date. She submits that without affecting the rights of the appellant and keeping all the contentions open, appropriate order may be passed.

5. Considering the submissions made by the parties at bar that compound wall has already been demolished by the Corporation and the work of widening the road is in progress and installation of paver-blocks for footpath will be carried out by the Corporation as expeditiously as possible, the prayers made in this appeal would practically become infructuous.

6. With above observations, this appeal from order stands disposed of as having become infructuous. Interim relief, if any, stands vacated. Interim application, if any, stands disposed of.

7. It is clarified that this Court has not expressed any opinion on merits at this stage.

8. It is open for the parties to raise all the contentions before the learned trial Court in accordance with law.

(SANDEEP N. BHATT,J)

M.H. DAVE