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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.133 OF 2024
WITH
INTERIM APPLICATION NO.1608 OF 2024
IN
APPEAL FROM ORDER NO.133 OF 2024**

Mrs. Nargis Afzal Roowala ...Appellant/Applicant
vs.

The Municipal Corporation of Greater Mumbai...Respondents

....

Mr. Jagdish N. Jayale, a/w. Mr. Jayesh J. Jayale, for the Appellant.

Mr. R.Y. Sirsikar, for Respondent/BMC.

....

CORAM : R.N. LADDHA, J.

DATE : 14 FEBRUARY 2024

P.C. :

. This appeal is listed today in view of the praecipe moved by learned Counsel appearing on behalf of the appellant on 13 February 2024 for urgent listing on the ground that the respondent Corporation sought to demolish the suit structure.

2. Accordingly, at the request of the learned Counsel for the appellant, the appeal is taken up for hearing.

3. It remains on record that the respondent Corporation has

not yet filed reply to the notice of motion. This appeal from order can be disposed of by directing the respondent Corporation to file its reply in the notice of motion before the trial court within two weeks from today with an advance copy to be served on the other side. The rejoinder, if any, shall be filed within two weeks thereafter.

4. The trial court is requested to expedite the hearing of the notice of motion and to decide it on its own merits, preferably within four weeks thereafter.

5. It is made clear that this Court has not examined the merits of the matter and all contentions of the parties are left open.

6. Appeal from order disposed of. Parties to maintain status-quo till the disposal of the notice of motion.

7. Pending application also disposed of.

(R.N. LADDHA, J.)

This order is corrected as per the Speaking to the Minutes dated 16 February 2024.