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

**APPEAL FROM ORDER NO.388 OF 2024
WITH
INTERIM APPLICATION NO.8923 OF 2024**

Farooque Hidayatullah Khan Alias Farooque ... Appellant
Hidayatullah Housildar

Versus

Municipal Corporation of Greater Mumbai Thr. Its ...Respondent
Assistant Commissioner

Mr.Anoshak Daver a/w Mr.Rushabh Sheth, Mr.Sayeed Mulani, Mr.Iram
S. Memon i/b M/s.Mulani and Co. for the Appellant
Ms.Smita V. Tandwalkar for the Respondent

Later on at 2.45p.m. in Chamber:

Mr.Ashish Kamat, Senior Advocate a/w Mr.Chittest Dalmia for the
Caveator/Society

Mr.Anoshak Daver a/w Mr.Rushabh Sheth, Mr.Sayeed Mulani, Mr.Iram
S. Memon i/b M/s.Mulani and Co. for the Appellant

**CORAM: FIRDOSH P POONIWALLA, J.
DATED: 14th May, 2024
VACATION COURT**

P.C.

1. The learned counsel for the Respondent Municipal Corporation states that the Respondent will file an Affidavit in Reply putting on record the correct facts, especially dealing with ground (f) of the Appeal from Order.
2. Reply be filed on or before 28th May, 2024. Stand over to 10th June 2024.
3. In the meanwhile, Municipal Corporation is restrained from taking any steps to dispossess the Appellant from the suit property.

Later on at 2.45 p.m. in Chamber :

4. Later on, the matter was mentioned at 2.45 p.m. in Chamber. Mr.Kamat, the learned Senior Advocate appeared on behalf of the Caveator / Society and submitted that the Appeal has been moved by the Appellant without giving notice to Zam Zam Co-operative Housing Society despite Caveat No.2297 of 2024 having been filed by the said Society. Mr.Kamat proposes to make submissions in respect of the reliefs sought by the Appellant.

5. For this purpose, stand over to 17th May, 2024 when the Court will consider as to whether Zam Zam Co-operative Housing Society needs to be heard and what orders need to be passed, after hearing the parties.

(FIRDOSH P. POONIWALLA, J.)