

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

**APPEAL FROM ORDER NO. 691 OF 2024
WITH
INTERIM APPLICATION NO. 13526 OF 2024
IN
APPEAL FROM ORDER NO. 691 OF 2024**

Florida Apartments CHSL

.... Appellant

Vs.

Municipal corporation of Greater Mumbai
Through Municipal Commissioner & Anr.

.... Respondents

Mr. Alaukik R. Pai a/w Mr. Shanmukh Puranik, Mr. Varad Jadhav and
Ms. Priyanka Rammurthy for the Appellant.

Ms. Seena Rawade for Respondent No.1-MCGM.

Mr. Aakash P. Bhalerao, Sr. Engineer H/W Division, present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 04th OCTOBER, 2024

P.C. :-

. Learned Advocate for the Appellant made a statement that, if the trial Court is directed to hear and dispose of the subject Notice of Motion, then he would not press for ad-interim-relief. It will serve the purpose of the Appeal, for the present.

2) Learned counsel for the Respondents-Corporation made a statement that, the Respondents-Corporation will file reply to the said Notice of Motion on the given date when the suit alongwith Notice of Motion is fixed before the trial Court, for filing reply to the Notice of Motion.

3) Said statements are accepted. As a result, the Appeal is liable to be disposed of, accordingly. Hence the following order :-

- ORDER -

- (a) Appeal from Order No.691 of 2024 is disposed of.
 - (b) The learned Judge, City Civil Court, Dindoshi, Borivali Division, Mumbai is requested to hear and dispose of the Notice of Motion No.2758/2024 in Civil Suit No.1425/2024 expeditiously, if possible without affecting the cases requiring expeditious hearing and disposal.
 - (c) It is made clear that, the aforesaid Appeal is not heard on merits. All contentions of the parties are left open.
- 4) Consequently, Interim Application No.13526 of 2024 does not survive and stands disposed of, accordingly.

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(SHYAM C. CHANDAK, J.)