

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

APPEAL FROM ORDER NO. 161 OF 2025

Godrej and Boyce Manufacturing
Co. Ltd. and anr.

....Appellants

: Versus :

The Municipal Corporation of Greater
Mumbai and Ors.

....Respondents

Mr. Arun Panicker, *for the Appellants.*

Mr. Drupad S. Patil *with Mr. Om Suryawanshi, for the Respondent-MCGM.*

CORAM : SANDEEP V. MARNE, J.

Dated : 2 April 2025.

P.C. :

1) The Appeal challenges the order dated 12 December 2024 passed in draft Notice of Motion No.6824/2024 refusing to grant *ad-interim* relief in favour of the Appellant. It appears that Notice of Motion seeking temporary injunction is yet to be decided. All that is refused at this stage is only *ad-interim* relief. In that view of the matter, it would be appropriate that the main Motion is decided by the City Civil Court in an expeditious manner. Mr. Patil, the learned counsel appearing for MCGM would assure the Court that Affidavit-in-reply opposing the Notice of Motion shall be filed within a period of 2 weeks.

2) Mr. Panicker, learned counsel appearing for the Appellant, would submit that though *ad-interim* relief is refused on 12 December 2024, the Respondent-Municipal Corporation is yet to encash the bank guarantee. He would therefore submit that the Respondent-Municipal Corporation may be restrained from encashing the bank guarantee till disposal of the Motion.

3) The Appeal is accordingly disposed of by requesting the City Civil Court to decide the Notice of Motion for temporary injunction in an expeditious manner. If the bank guarantee is not already encashed, the same shall not be encashed during pendency of the Notice of Motion.

4) It is clarified that the direction not to encash bank guarantee is not issued after considering the merits of the appeal and the City Civil Court shall not be influenced by the present order while deciding the main Motion finally. With the above directions, the Appeal is **disposed of**.

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[SANDEEP V. MARNE, J.]