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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 722 OF 2024

Hasmukh Desai and anr

.....Appellants

Vs.

Municipal Corporation of Greater Mumbai
and Ors

.....Respondents

Mr. Aseem Naphade a/w Mr. Jay Vakil i/b Jay Vakil for the appellants
Mr. Bhushan Deshmukh i/b Ms. Vaishali Karia for respondent no. 2
T. Bhavsar i/b Rutvij Bhatt for respondent no. 3
Mr. Om Suryavanshi for BMC

CORAM : GAURI GODSE, J.

DATE : 9th JANUARY 2025

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ORDER:

1. Heard learned counsels for the parties. The appeal arises out of rejection of ad-interim relief in a suit filed by the appellants. The parties have already entered into consent terms in arbitration proceedings. A perusal of the reasons in the impugned order do not call for any interference.

2. Any further reasons recorded by this Court is likely to cause prejudice to the rights and contentions on merits in the pending notice

of motion before the City Civil Court.

3. At this stage, I do not find any reason to grant any ad-interim relief as the notice of motion is still pending.

4. Hence, appeal from order is disposed of with liberty to the parties to agitate their grievances in the pending notice of motion before the City Civil Court.

5. Appeal from order is therefore disposed of with aforesaid clarification.

6. In view of grievance made by the learned counsel for the appellant regarding non supply of copies by the society, learned counsel for the society on instructions submits that the society would furnish the documents to the appellants as per Rules on payment of necessary charges as per Rules.

[GAURI GODSE, J.]