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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 7653 OF 2025
IN
APPEAL FROM ORDER NO. 92 OF 2024**

Mohammed Azam Shaikh ... Applicant

IN THE MATTER BETWEEN

Imtiyaz Abdul Gaffar Memon ... Appellant

vs.

Municipal Commissioner and ... Respondents
Others

None for the Applicant.

Mr. Alizain Patel i/b. Mr. Sajjad Patel for Appellant

Mr. Om Suryavanshi i/b. Ms. Komal Punjabi for Respondent-BMC.

CORAM : GAURI GODSE, J.

DATED : 30th APRIL 2025

ORDER:

1. Though circulated none appears for the applicant. The interim application is filed for intervention in the appeal. The appeal is preferred by the plaintiff to challenge the refusal of ad-interim relief by the City Civil Court. The suit is filed to challenge the notice issued under Section 354 A of the Mumbai Municipal Corporation Act.

2. Learned counsel for the appellant submits that the corporation

was granted time to file reply in this appeal. However, till date reply was not filed. He further submits that the reply is not even filed in the notice of motion. Learned counsel for the appellant submits that the next date for hearing the notice of motion in the City Civil Court is 28th July 2025.

3. Learned counsel for the corporation seeks time to take instructions whether the reply is filed in notice of motion, and if not filed, when the same will be filed.

4. At the request of learned counsel for the corporation by way of last chance, list the appeal on 9th May 2025.

5. Till the next date, the ad-interim protection granted in the appeal is extended.

6. To be listed High on Board under the caption for 'admission'.

(GAURI GODSE, J.)