IN THE HIGH COURT OF JUDICATURE AT BOMBAY CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 321 OF 2019 IN CIVIL APPLICATION NO. 1684 OF 2018 IN FIRST APPEAL NO. 846 OF 2003

Shri Sayed Arshed Zaidi

... Applicant

V/s.

Applicant.

Municipal Corporation of Greater Mumbai

& Anr.

.... Respondents

Mr. Rafiq Dada, Sr. Adv. with A.K.N. Mulla, Advocate for the

Mr. N.V. Walawalkar, Sr. Adv. with Mrs. Sheetal Mane for MCGM-Respondents.

Ms. Vidya Khatu for Respondent No.3.

••••

.

CORAM : K.K.TATED, J.

DATED : 11th October, 2019

P.C.

- 1. Heard Learned Senior Counsels Mr. Rafiq Dada for Applicant and Mr. N.V. Walawalkar for Respondents.
- 2. By this Civil Application, applicant is seeking permission to join the Respondent nos. 3 & 4 as Respondents in First Appeal No. 846 of 2013.
- 3. Learned Senior Counsel for applicant submits that, in view of earlier order dated 31st January, 2012 passed by this court (Coram: Mrs. Mridula Bhatkar, J.) in Civil Application No. 4814 of 2011 nothing survive in the present Civil Application. He submits that, as per earlier

Ashwini G. 1

32--CAO-321-2019.doc

order dated 31st January, 2012, this Court permitted applicants to join the respondent nos. 2 and 4 as respondents in First Appeal itself.

4. Considering the submissions made by the learned Senior Counsel for the applicant and the earlier order dated 31st January, 2012 in Civil Application No. 4814 of 2011 nothing will survive in the present Civil Application. Hence, following order:

ORDER

- a) Civil Application stands disposed of as infructuous.
- b) No order as to costs.

(K.K.TATED, J.)

Ashwini G. 2