

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

**APPEAL FROM ORDER NO.135 OF 2015
WITH
CIVIL APPLICATION NO.172 OF 2015**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.M.R.Yadav i/b M/s.M.R.Yadav and Associates for the appellant

Mr.Vinod Mahadik for the BMC

CORAM : K.K.TATED, J.
DATED : 06/02/2015

PC:

1 Not on board. At the request of Advocate for the appellant, matter is taken on board for urgent orders.

2 By this Appeal from Order, appellant challenges the order dated 17.1.2015 passed by Bombay City Civil Court at Bombay in Draft Notice of Motion rejecting the ad interim relief.

3 The learned counsel for the appellant submits that the appellant may be permitted to withdraw the present Appeal from Order with liberty to file an appropriate application to the Corporation for regularisation of the suit

structure as per the notice dated 15.10.2013 issued by the respondent under section 53(1) of the MRTP Act.

4 Same is allowed.

5 Appeal from Order stands dismissed as withdrawn.

6 In view thereof, Civil Application does not survive. The same is also dismissed as infructuous.

(K.K.TATED, J.)