

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

APPEAL FROM ORDER NO.981/2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. Niville Majra i/b. Yusuf & Associates for the Appellant

Mr. P. S. Dani, Senior Advocate with Vaibhav Sugdare i/b. Yasmin Bhansali & Co. for the Respondent.

CORAM : K. K. TATED, J.

DATE : JULY 31, 2015

P.C.:

1. Heard. This appeal is preferred by Defendant challenging the order dated 05/02/2014 passed by the Bombay City Civil Court, Mumbai in Notice of Motion No.1410/2013 in suit No.6465/2006 allowing the Respondent Plaintiff to file an additional affidavit of examination along with compilation of additional documents on payment of cost of Rs.5000/-.

2. The learned senior counsel for the Plaintiff raised preliminary objection about maintainability of the Appeal from Order. He submits that the Appeal from Order is not maintainable against the impugned order passed by the Trial Court.

3. The learned counsel for the Appellant Defendant seeks permission to withdraw the Appeal from Order, with liberty to file an appropriate proceeding challenging the said order.

4. Appeal from Order stands dismissed as withdrawn with liberty to file appropriate proceedings, subject to delay.

JUDGE