

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

APPEAL FROM ORDER NO.844/2015
WITH
CIVIL APPLICATION NO.1035/2015

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. Amar M. Telreja with Mr. Anand Talreja for the Appellant
Mr. Furhan Dubhash with Ms. Natasha Wadia i/b. Hariyani & Co. for the Respondent.

CORAM : K. K. TATED, J.

DATE : JULY 20, 2015

P.C.:

1. Heard. This appeal is preferred by the Defendant challenging the order dated 07/01/2015 passed by the Bombay City Civil Court, Mumbai in Summons for Judgment No.128/2013 in Summary Suit No.1003/2013 granting conditional leave to defend the suit on deposit of Rs.24,41,716/- in the Trial Court within 6 weeks from the date of order.

2. The learned counsel for the Respondent Plaintiff submits that subsequently, the Trial Court passed decree on 19/03/2015 in Summary Suit No.1003/2013. He submits that in view of

subsequent development, nothing survives in the present Appeal from Order.

3. Considering the submissions made by the learned counsel for both the parties and since the Trial Court passed decree on 19/03/2015 in Summary Suit No.1003/2013, nothing survives in the present Appeal from Order. Hence, same stands dismissed as infructuous. Consequently Civil Application stands dismissed as infructuous.

4. Liberty granted to the Appellant Defendant to prefer an appropriate Application in the present Appeal from Order for revival of this Appeal from Order, in case decree passed by the Trial Court in Summary Suit No.1003/2013 is set aside on the Application, if any, filed by th Appellant Defendant.

JUDGE