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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 475 OF 2015
WITH
CIVIL APPLICATION NO. 614 OF 2015

Mrs.Zubeda A.Gafoor and others .. Appellants

Vs.

M/s.Nida Universal .. Respondent

Mr.Kaushal Tamhane i/b Dhanuka & Partners, Advocate for the Appellants.

Ms.Rekha C.Shukla, Advocate for the Respondent.

CORAM : R. G. KETKAR, J.

DATE : 06th MAY, 2015

P.C. :

. Not on board. At the request of Mr.Kaushal Tamhane, taken up in the Production Board.

2. As the Regular Court presiding over by Hon'ble Mr.Justice K.K.Tated is not available, matter is produced before me as per the administrative order passed by the Hon'ble Chief Justice.

3. Heard Mr.Kaushal Tamhane, learned Counsel for the appellants and Ms.Rekha C.Shukla, learned Counsel for the respondent.

4. By this appeal, original plaintiffs have challenged the judgment and order dated 25/02/2015 passed by the learned Judge of the City Civil Court, Mumbai. By that order the learned trial

Judge refused ad-interim injunction and granted leave to register draft notice of motion.

5. After arguing the Appeal for some time, Mr.Tamhane, upon taking instructions from the appellant No.2 – Mr.Shaikh Y.Shaikh, states that he is not pressing the Appeal From Order and seeks permission to withdraw the same. He states that the learned Judge of the City Civil Court, Mumbai may be directed to disposed of Notice of Motion in a time bound manner.

6. In view thereof, on the motion made by Mr.Tamhane, Appeal is allowed to be withdrawn and is disposed of as such. Liberty is reserved to the appellants to take out appropriate application for disposal of the Notice of Motion in a time bound manner. If such application is taken out, the learned trial Judge, in the light of the controversy between the parties, will pass appropriate orders.

7. In view of disposal of the Appeal, Civil Application No. 614 of 2015 for injunction does not survive and the same is disposed of accordingly.

(R. G. KETKAR, J.)