

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST.) NO.13182 OF 2015
WITH

CIVIL APPLICATION (ST.) NO.13184 OF 2015
(Mohammed Alim Shaikh Vs. The Municipal Corporation of Greater Mumbai)

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. Bholaprasad S. Shukla for Appellant.
Mr. A. K. Nandanwar for Respondent.

CORAM : R. G. KETKAR, J.

DATE : 7TH MAY, 2015

P.C.:

Not on Board. At the request of Mr. Shukla, taken up in the production Board.

2. As the regular Court presided over by Hon'ble Mr. Justice K. K. Tated is not available today, as per the administrative order passed by the Hon'ble the Chief Justice, the papers are produced before me.

3. Heard Mr. Shukla, learned Counsel for appellant and Mr. Nandanwar, learned Counsel for respondent at length.

4. By this Appeal, original plaintiff has challenged the order dated 24.04.2015 passed by the learned Judge, City Civil Court, Greater Bombay in Notice of Motion No.____ of 2015. By that order, the learned trial Judge dismissed the draft Notice

of Motion.

5. After arguing the Appeal for quite some time, Mr. Shukla seeks permission to withdraw this Appeal. He states that appellant will move the trial Court for disposal of the Suit in a time bound manner.

6. In view of the above, on the motion made by Mr. Shukla, Appeal is allowed to be withdrawn. In case the appellant takes out application for disposal of the Suit in a time bound manner, the learned trial Judge will pass appropriate order in accordance with law. It is made clear that I have not examined the merits of the case. All the contentions of the parties on merits in the Suit are expressly kept open.

(R. G. KETKAR, J.)

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