

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

**APPEAL FROM ORDER NO. 835 OF 2015
WITH
CIVIL APPLICATION NO. 1019 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. R.A.Thorat, Senior Counsel i/b P. J. Thorat for the appellant.

Mr. A.V. Divate for the respondent no.1 Corporation.

Mr. H.S. Anand for the respondent no.2.

CORAM : K. K. TATED, J.

DATED : 03/08/2015.

PC.:

. Heard.

2 The learned Senior counsel for the appellant plaintiff seeks permission to withdraw the Appeal from Order with liberty to file appropriate Appeal before the Competent Authority. He submits that this Hon'ble Court be pleased to direct the Corporation to maintain status quo as of today in respect of suit structure as per pitch card.

3 Hence, the following order is passed:

a) Appellant is permitted to withdraw Appeal from Order alongwith Civil Application with

liberty to file appropriate Appeal before the Competent Authority within three weeks from today.

b) If Appeal is not filed within stipulated time as stated hereinabove, the respondent corporation is free to take appropriate action against the appellant for removal of unauthorised structure.

c) Parties are directed to maintain status quo in respect of suit structure as per pitch card for three weeks from today.

d) If Appeal is filed within stipulated time as stated hereinabove, the Competent Authority to decide the Appeal on its own merits without influencing with order passed by this Court.

e) Liberty granted to the respondent no.2 to make appropriate application before the Authority for joining him party and that application shall be decided by the authority on its own merits.

f) Appeal from Order as well as Civil Application stand dismissed as withdrawn.

(K.K.TATED, J.)