

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

**CIVIL APPLICATION NO. 3595 OF 2012
IN
FIRST APPEAL NO. 1254 OF 2004**

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. Manish Jain for the applicant.

Mr. Anoop Sharma i/b S. M. Kazi for the respondent no.1.

CORAM : K. K. TATED, J.

DATED : 08/04/2015.

PC.:

. Heard learned Counsel for the parties.

2 The learned Counsel for the applicant submits that they filed present Civil Application to recall the order dated 05.09.2012 passed by this Court in Civil Application 1139 of 2012. He submits that when the earlier Civil Application was called out for hearing, no one appeared on behalf of the respondents. He submits that respondents in their Civil Application no. 1139 of 2012 stated that applicant carried out unauthorised construction in suit premises i.e. room No. 11 situated at Bhagwandas Akhada Property, Bhagwandas Indrajit Road, Walkeshwar, Mumbai, which is not correct. He submits that if applicant

wants to carry out any work, he will take appropriate permission from the competent authority to do so. Hence, order passed by this Court dated 05.09.2012 be recalled.

3 I heard learned Counsel for the applicant at length. After hearing sometime to the learned Counsel for the applicant, he seeks permission to withdraw the Civil Application. Same is allowed.

4 Civil Application is dismissed as withdrawn. No order as to costs.

(K.K.TATED, J.)