

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****APPEAL FROM ORDER (ST) NO. 31055 OF 2015****ALONGWITH****CIVIL APPLICATION (ST) NO.31058 OF 2015****IN****APPEAL FROM ORDER (ST) NO. 31055 OF 2015****Vinod S.Jain****..... Appellant****VERSUS****Brihanmumbai Electric Supply and Transport
& Ors.****..... Respondents**

Mr.M.S.Karnik, i/b. Mr.Mandar Soman for the Appellant.

Mr.Rakesh Singh, a/w. Ms.Kavita Jain, i/b. M.V.Kini & Co. for Respondent Nos. 1 and 2.

Mr.S.K.Jain, i/b.S.K.Jain & Co. for Respondent no.4.

CORAM : R.D. DHANUKA, J.**DATED : 3rd DECEMBER, 2015****P.C.**

Mr.Jain, learned counsel appearing for the respondent no.4 invited my attention to the application made by the appellant (original plaintiff) and the respondent no.4 jointly with the respondent no.1 for separate electricity connection. He submits that he has no objection if the said application is pursued jointly and if any electricity meter is issued by the respondent no.1 jointly in the name of the appellant and respondent no.4 without prejudice to the rights and contentions of both the parties. Statement is accepted.

2. Learned counsel appearing for the respondent no.1 states that if the said application is in compliance with all other requirements of the respondent no.1,

they have no objection to issue electricity meter in the joint name of appellant and respondent no.4. Learned counsel appearing for the appellant and respondent no.4 states that if any other formalities are required to be complied with by the respondent no.1, the same would be complied with jointly with the appellant. Statement is accepted. In view of the statement made by the learned counsel appearing for the parties, respondent no.1 is directed to issue electricity meter in the name of the appellant and respondent no.4 jointly upon both these parties complying with all the requirements expeditiously.

3. Mr.Karnik, learned counsel appearing for the appellant on instruction states that in view of the order passed by this court today, the appellant would apply for withdrawal of the suit before the learned trial judge within two weeks from today. Statement is accepted.

4. Appeal from order is disposed of in the aforesaid terms. No order as to costs. In view of disposal of the appeal from order, civil application does not survive and is accordingly disposed of.

5. All parties to act on authenticated copy of this order.

[R.D. DHANUKA, J.]