

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

APPEAL FROM ORDER NO. 237 OF 2016
WITH
CIVIL APPLICATION NO. 314 OF 2016
IN
APPEAL FROM ORDER NO. 237 OF 2016

Mr. Abdul Quyyum Alauddin ... Appellant
Athania

Versus

M/s. Hitech Hafizi Town Developers ... Respondents
& Ors.

.....

Mr. S. S. Dube for the Appellant.
Mr. Danshi Shah i/b M/s. Deepak Chitnis-Chiparikar & Co. for the
Respondents.

CORAM : G. S. KULKARNI, J.
DATE : 21st APRIL, 2016.

P. C. :

1. Not on board. Taken on board.
2. This appeal arises out of an ad interim order dated 23.12.2015 where an ad interim relief as sought by the appellant in a Notice of Motion filed in L.C. Suit No. 3387 of 2015 has been rejected. The learned counsel for the appellant fairly states that the appellant would be interested to pursue with the hearing of the Notice of Motion which is pending before the Trial Court. In this

view of the matter no further adjudication of this Appeal from Order would be necessary. The appellant is at liberty to approach the Trial Court with the request to take up the hearing of the Notice of Motion which request would be considered by the Trial Court on its own merits.

3. The Appeal from Order is, accordingly, disposed of. No order as to costs.

4. As the Appeal from Order is disposed of nothing survives in the Civil Application which would thus stand disposed of.

(G. S. KULKARNI, J.)