

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (STAMP) NO.1503 OF 2016
WITH
CIVIL APPLICATION (STAMP) NO.1505 OF 2016

Manjur Ahmed Mohd. Usman	...Appellant
V/s.	
The Municipal Corporation of Gr. Mumbai	...Respondent

Mr.R.V. Singh for the Appellant.

Mr.A.Y. Sakhare, Senior counsel with Mr.S.K. Sonawane and Mr.A.V. Diwate for the Respondent – B.M.C.

CORAM : R.D. DHANUKA, J.
DATE : 9TH FEBRUARY, 2016.

P.C. :-

1. Mr.Singh, learned counsel appearing for the appellant states that the Municipal Corporation has already shown the alternate premises to the appellant at Andheri, which is already approved by his client and he has agreed to surrender the existing premises to the Municipal Corporation for demolition today itself. The statement is accepted.

2. Learned counsel appearing for the appellant seeks liberty to withdraw this appeal from order. The appeal from order is dismissed as withdrawn. Learned counsel appearing for the appellant

undertakes on behalf of his client, who is present in Court, to withdraw the civil suit pending in the Bombay City Civil Court within one week from today. The undertaking is accepted.

3. In view of the appellant having undertaken to surrender the suit premises to the Municipal Corporation, the Municipal Corporation would be at liberty to demolish the suit structure forthwith.

4. In view of withdrawal of the appeal from order, the civil application does not survive and is accordingly disposed of. No order as to costs.

5. The appellant is at liberty to approach the Municipal Corporation for collecting the allotment letter during the course of the day.

(R.D. DHANUKA, J.)