

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**Contempt Appeal NO. 1 OF 2015
in
CONTEMPT PETITION NO.301 OF 2014**

ABU HUSSAIN

...Appellant

*Versus*1.THE MUNICIPAL CORPORATION OF
GREATER MUMBAI AND ORS

...Contemnors/Respondents

*Mr.Arun Sharma i/b. SOLICIS LEX, for the Appellant.**Mr.A.V.Diwate, for Respondent No.1.*

**CORAM : A.S.OKA &
G.S.KULKARNI, JJ.**

DATED : 16th MARCH,2016.

P.C.:-

1. By the impugned order, the learned Single Judge has declined to entertain the Contempt Petition filed by the Appellant. Hence, an Appeal against the said order is not maintainable under Section 19 of the Contempt of Courts Act,1971. The learned Counsel appearing for the Appellant seeks permission to withdraw the Appeal with liberty to file an appropriate proceedings for challenging the impugned order.

2. Accordingly, the Appeal is disposed of as withdrawn with liberty as prayed. All contentions on merits are kept open.

(G.S.KULKARNI, J.)

(A.S.OKA, J.)