

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
APPEAL FROM ORDER St.NO. 10585 OF 2016  
WITH  
CIVIL APPLICATION NO.705 OF 2016**

**Shitla Prasad Ramsamujh Jaiswal**

**..Applicant**

**Vs.**

**Dilip Kumar Ramasare Kanu**

**..Respondent**

**Mr. Pankaj Dwivedi for the Applicant**

**Mr. V. R. Sutrale for the Respondent**

**CORAM : R. M. SAVANT, J.**

**DATE : 7<sup>th</sup> JULY, 2016**

**P.C.**

1           The above Appeal From Order challenges the order permitting the Respondent to file his Written Statement, against such an order an Appeal From Order would not lie. The Learned Counsel for the Appellant is therefore permitted to withdraw the above Appeal From Order with liberty to file appropriate proceedings to challenge the impugned order.

2           In view of the withdrawal of the above Appeal From Order, the Civil Application No.705 of 2016 does not survive and to accordingly stand disposed of as such.

**[R.M.SAVANT, J]**