

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER St.NO. 17793 OF 2016
WITH
CIVIL APPLICATION NO.796 OF 2016**

Lydia Lluís Abrachés

..Appellant

Vs.

Abdul Kadar Ellam & Anr.

..Respondents

Ms Kalpita Ghosh i/b Intralegal for the Appellant

CORAM : R. M. SAVANT, J.

DATE : 7th JULY, 2016

P.C.

1 Not on board. Mentioned.

2 The order dated 2-5-2016 rejecting the Notice of Motion filed by the Appellant, for being permitted to file the Written Statement is taken exception to by way of the above Appeal From Order. Considering the challenge raised, an Appeal From Order would not lie, the Appeal From Order is accordingly allowed to be withdrawn with liberty to file appropriate proceedings.

3 In view of the withdrawal of the above Appeal From Order, the Civil Application No.796 of 2016 does not survive and to accordingly stand disposed of such.

[R.M.SAVANT, J]