

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST.) NO. 21539 OF 2016
IN
APPEAL FROM ORDER (ST.) NO. 21537 OF 2016
ALONG WITH
APPEAL FROM ORDER (ST.) NO. 21537 OF 2016

Association of Consultants of Lilavati ...Applicant
Hospital & Research Centre

Versus

Mr. Kishor K. Mehta & Ors. ...Respondents

Mr. Jayesh G. Gawade, for the Applicant.

Mr. Zubin Behramkamdin, i/b M/s. Thakore Jariwala & Asso., for the
Respondents No. 1 & 2.

Mr. Prateek Sakseria, a/w Ranjeet Vaghani, i/b Juris Peritus Mumbai,
for Respondents No. 3 to 5.

CORAM : R.M. SAVANT, J.
DATE : 8th August 2016

PC. :

1. The above Civil Application has been filed for seeking
leave to Appeal against the order dated 29.06.2016 passed by the
Learned Judge of the City Civil Court, Borivali Division, Dindoshi,

Mumbai, the same is filed as the Applicant is not a party to the suit in question. The learned Counsel appearing for the Applicant seeks withdrawal of the above Civil Application (St.) No. 21539 of 2016 with liberty to file appropriate application/proceeding before the Trial Court.

2. The above Civil Application is accordingly allowed to be withdrawn with liberty as prayed for. In view of the withdrawal of the above Civil Application, the Appeal from Order does not survive and to accordingly, stand disposed of as such.

3. Needless to state that if any such application/proceeding is filed by the Applicant in the Trial Court, the same would be considered on its own merits and in accordance with law.

[R.M. SAVANT, J.]