

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.13 OF 2016
along with
CIVIL APPLICATION NO.19 OF 2016
in
APPEAL FROM ORDER NO.13 OF 2016**

Dr.Behram Merwanji Sethna .. Appellant
Vs.
Silloo Dara Zaiwalla .. Respondent

Mr.V.Y. Sanglikar for the appellant.
Mr.D.D.Madon, Senior Advocate a/w Mr.Bomi Patel i/by M/s.Mulla &
Mulla and Craigie Blunt & Caroe for the respondent.

CORAM : R.D. DHANUKA, J.
DATE : 24th February 2016

P.C.

. The matter was argued at great length by the parties.

2. Mr.Sanglikar, learned counsel appearing for the appellant, on instructions from his client who is present in Court, seeks liberty to withdraw this appeal from order and prays that time to comply with the order passed by the learned trial Judge be extended by four weeks from today. Mr.Madon, learned senior counsel appearing for the respondent has no objection if the time as prayed by the learned counsel for the appellant is granted to comply with the order passed by the learned trial Judge.

3. Appeal is dismissed as withdrawn. The appellant (plaintiff) is granted four weeks' time to comply with the order passed by the

learned trial Judge. In view of withdrawal of the appeal, civil application does not survive and is accordingly dismissed. No order as to costs.

R.D. DHANUKA, J.