

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

**APPEAL FROM ORDER NO.1094 OF 2014
along with
CIVIL APPLICATION NO.1319 OF 2014
in
APPEAL FROM ORDER NO.1094 OF 2014**

M/s.Shilpoo Co-operative Housing
Society Limited .. Appellant/Applicant
Vs.
Suryakant Sharadaprasad Sharma & Ors. .. Respondents

Mr.Jagdish Jayale for the appellant/applicant.
Mr.S.J. Chaurasia i/by M/s.Ashoka Law Firm for the respondent no.1.
Mr.A.V.Diwate for the respondent no.5-MMC.

CORAM : R.D. DHANUKA, J.
DATE : 2nd February 2016

P.C.

. Learned counsel appearing for the appellant seeks permission to withdraw the appeal from order with liberty to file appropriate proceedings in view of the objection raised by the learned counsel appearing for the respondents that appeal from order is not maintainable against the order impugned to the appeal from order.

2. Appeal from order is dismissed as withdrawn with liberty as prayed. In view of the dismissal of the appeal from order, civil applications do not survive and the same are dismissed accordingly. No order as to costs.

3. Since the appellant proposes to file appropriate proceedings, it is made clear that the respondents shall not proceed with the trial for a period of two weeks from today.

R.D. DHANUKA, J.