

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1340 OF 2015

IN

APPEAL NO. 437 OF 2014

SAJID ISMAIL HAJI NOOR MOHAMMED

...Appellant/Applicant

Versus

1.SOHAIL HAJI NOOR MOHAMMED AND 4 ORS ...Respondents.

Mr.Shailesh Shah, Senior Advocate with Ibrahim Merchant i/b. Sonal Doshi & Co., for the Appellant.

Mr.V.M.Talreja, for Respondent Nos.1 & 2.

Mr.Neel D'Souza i/b. Wadia Ghandy & Co., for Respondent No.5.

**CORAM: A.S. OKA &
G. S. KULKARNI, JJ**

DATED: 9th March, 2016

PC.:-

1. Heard the learned Senior Advocate appearing for the Applicant/Appellant. As the prayers made in the Notice of Motion are defective, he seeks permission to withdraw the Notice of Motion with liberty to take out a fresh Notice of Motion.

2. Accordingly, the Notice of Motion is disposed of as withdrawn with liberty as prayed for. All contention on merits are kept open.

(G.S. KULKARNI, J)

(A.S. OKA, J)