

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
APPEAL NO.347 OF 2014

Sumer Builders Pvt. Ltd. .. Appellants  
-Versus-  
Derive Investments & Ors. .. Respondents

Ms. Kausar Banatwala i/b. Mr.Tushar Goradia for appellants  
Mr. Bhaven Gada i/b. L.D.Shah & Co. for respondent Nos. 1 and 2  
Mr. Hamed Kadiani i/b. Yashpal Jain for respondent No.4 in NMA 1044 of 2014.

CORAM : ANOOP V. MOHTA &  
DATE : 1<sup>st</sup> April 2016.

P.C.

1] Learned Counsel for the appellants on instructions, seeks leave to withdraw the present appeal. Respondent Nos. 1 and 2 have no objection for the same. Respondent No.4 who is added for the first time in Notice of Motion No.1044 of 2014, though not a party to the appeal proceedings, is at liberty to take out appropriate proceedings if so advised.

2] Appeal is allowed to be withdrawn and disposed of as such.

3] In view of disposal of appeal, Notice of Motion No.1044 of 2014 does not survive and disposed of accordingly.

(A.A.SAYED, J)

(ANOOP V. MOHTA, J)