

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

APPEAL FROM ORDER NO.557 OF 2016

Smt.Sunita Anant Mehta

...Appellant

Versus

Prakash Mansukhlal Shah & Anr.

...Respondents

Mrs.Yogini D. Gada i/b Harakhchand & Co. for the Appellant.

CORAM : M. S. SONAK, J.

DATE : 24 MARCH 2017

P.C.

1. Ms.Gada, the learned counsel for the appellant fairly points out that Suit No.8839 of 1999 is posted for final hearing on 07 April 2017 and in view of the same, she seeks leave to withdraw this Appeal.

2. The appeal is permitted to be withdrawn. It is however, clarified that in disposing of the suit finally on merits, the learned Trial Judge need not be influenced by any observations made in the impugned order dated 07-12-2015.

3. All contentions of all parties are kept open.

(M. S. SONAK, J.)