

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER (ST.)No. 53 OF 2017
WITH
CIVIL APPLICATION No. 967 OF 2017 IN A.O. (ST.)No. 53 OF 2017**

Unique Estates Development Co. Ltd.	... Appellant/Applicant
Vs.	
Raheja Crest-III CHS Ltd. & Ors.	... Respondents

Mr. G.S. Godbole i/b. Kishore D. Abichandani, Advocate for the appellant/applicant.

Mrs. Madhuri More, Advocate for the respondent no. 5/Corporation.

Mr. P.M. Shah a/w. Meetal Savla, Advocate for respondent no. 1.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **27th November, 2017.**

P.C.:

The learned counsel for the appellant submitted that the Appeal against Order on a preliminary issue does not lie and therefore, he seeks permission to convert Appeal from Order into Civil Revision Application. The learned counsel further submitted that Civil Revision Application is to be filed within 90 days and this Appeal from Order is filed within 90 days from the date of the order passed by the learned Judge of the City Civil Court and, therefore, he seeks permission to withdraw the Civil Application for condonation of delay.

2. Liberty granted to convert Appeal from Order into Civil Revision Application accordingly.

3. The learned counsel for the appellant is allowed to withdraw Civil Application for condonation of delay.
4. Civil Application No. 967 of 2017 is dismissed as withdrawn.

(MRIDULA BHATKAR, J.)