

ATUL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER ST NO. 9623 OF 2017
WITH
CIVIL APPLICATION ST NO. 9627 OF 2017

Eric Ansulem Mendes	...Appellant
<i>Versus</i>	
Olga Sabastian Rodriques & Ors	...Respondents

Mr JG Damani, *for the Appellant.*
Mr NB Shukla, *i/b BS Shukla, for the Respondents.*

CORAM: G.S. PATEL, J
DATED: 5th June 2017

PC:-

1. A statement is made on behalf of the Respondents that they will not disturb the possession of the Appellant (Original Plaintiff) except in accordance with law. In fact, the Respondents have already filed a Suit and initiated legal proceedings. This is Suit No. 2694 of 2016. The Respondents may proceed to prosecute that Suit uninfluenced by this order. It is made clear that there is no assessment on merits.

2. Mr Damani fairly accepts that this is sufficient for his purposes. He seeks leave to withdraw the Appeal. The Appeal is dismissed as withdrawn with no order as to costs.

3. In view of this, the Civil Application is disposed of as infructuous.

(G. S. PATEL, J.)