

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 5642 OF 2017

Dr. Bharat Ashok Manek	... Petitioner
Vs.	
Peter Colman Bain & Ors.	... Respondents

Mr. Omprakash Parihar i/b. Meghna A. Gowalani, Advocate for the petitioner.

Mr. B.S. Nayak, Advocate for respondent No. 1.

Ms. Jyoti P. Jadhav, AGP for respondent No. 3/State.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 13th June, 2017.

P.C.:

In this Petition, the order dated 31st January, 2015 passed by the learned Judge of the City Civil Court, Greater Mumbai appointing the Court Receiver is challenged.

2. The learned counsel for respondent No. 1/plaintiff challenges the maintainability of this Petition. Under Order 43 Rule (s) of Code of Civil Procedure, the challenge given to the orders passed under Order 40 pertaining to appointment of Court Receiver can be challenged under Appeal from Order.

3. The learned counsel for the petitioner seeks permission to

withdraw this Writ Petition to file Appeal from Order.

4. Writ Petition is dismissed as withdrawn. The learned counsel for the petitioner may file Appeal from Order. The order of status quo granted earlier to continue till 27th June, 2017.

(MRIDULA BHATKAR, J.)