

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1003 OF 2015
IN
B.C.C.C.SUIT NO. 263 OF 2015
AND
CIVIL APPLICATION NO. 1229 OF 2015

Joseph D'Souza and ors. .. Appellants
vs.
Asst. Municipal Commissioner
Brihan Mumbai Mahanagarpalika .. Respondent

Mr. V.R. Walawalkar i/b Mr. S.G. Walam for the Appellant.
Ms Madhuri More for the Respondent-BMC.

CORAM : M. S. SONAK, J.
DATE : 04 JANUARY 2017.

P.C. :-

1] Mr. V.R. Walawalkar, learned counsel for the appellants, states that subsequent to institution of this appeal from order, the appellants have been served with notice dated 21 November 2016. This notice has been challenged by the appellant in Writ Petition (L) No. 3163 of 2016. This petition is pending adjudication.

2] Mr. Walawalkar submits that in view of the aforesaid subsequent development, he seeks leave to withdraw this appeal from order. Learned counsel for the respondent has no objection to the withdrawal of this appeal from order. Accordingly, this appeal from order is permitted to be withdrawn and is disposed of accordingly.

3] In view of disposal of the appeal, the civil application does not survive and the same is also disposed of accordingly.

(M. S. SONAK, J.)

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