

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1258 OF 2016
(FOR DELAY)
AND
APPEAL FROM ORDER (ST) NO. 28562 OF 2016

Mr. Mahendra Chimanlal Shah and ors. .. Applicants/Appellants
vs.

M/s. Vora Brothers and ors. .. Respondents

Mr. Abhinav Chandrachud i/b. Mr. A.T. Gade for the
Appellants/Applicants.

Mr. Kapil Moge i/b. M.Patel for Respondents.

CORAM : M. S. SONAK, J.

DATE : 05 APRIL 2017.

P.C. :-

In Civil Application No. 1258 Of 2016:

1] Heard learned counsel for the parties.

2] Taking into consideration the cause shown in the civil application, the delay of 47 days in filing the appeal from order is condoned. The civil application is disposed of.

In Appeal from Order (St) No. 28562 Of 2016:

3] As against the impugned order, an appeal from order will not be maintainable. Mr. Chandrachud, learned counsel for the appellant, seeks leave to withdraw this appeal with liberty to take out appropriate proceedings against the order impugned in this appeal.

4] Leave is granted. The appeal from order is disposed of with liberty as prayed for.

(M. S. SONAK, J.)

dinesh