

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1198 OF 2015  
WITH  
CIVIL APPLICATION NO. 1514 OF 2015

|                                                                       |    |            |
|-----------------------------------------------------------------------|----|------------|
| M/s. Girish Enterprises Pvt. Ltd.                                     | .. | Appellant  |
| vs.                                                                   |    |            |
| City and Industrial Development<br>Corporation of Maharashtra Limited | .. | Respondent |

Mr. Natasha Gupta with Ms Vaishali Chaudhari i/b. M/s. Thakore  
Jariwala & Associates for Appellant.  
Ms P. M. Bhansali i/b. G. S. Hegde for Respondent No. 1.

**CORAM : M. S. SONAK, J.**  
**DATE : 06 MARCH 2017**

**P.C :**

1] Ms Gupta, learned counsel for the appellant hands in communication dated 21 February 2017 issued by the CIDCO, which is a letter of intent issued to the appellant. In terms of this letter of intent, the appellant is required to furnish a fresh bank guarantee to the CIDCO. Ms Gupta states that said fresh bank guarantee has already been furnished to the CIDCO. The letter dated 21 February 2017 issued by CIDCO is placed on record.

2] She further points out that one of the conditions of the letter of intent dated 21 February 2017 is that the appellant withdraws the various cases instituted by them in different courts relating to the subject work. Accordingly, she seeks leave to withdraw this appeal.

She points out that even the suit, in which the impugned order was made, has already been withdrawn.

3] Learned counsel for the CIDCO, endorses the position put-forth by Ms Gupta.

4] Ms Gupta requests the court to take on record the written instructions in the matter of withdrawal of this appeal from order. Such written instructions dated 21 February 2017 are also kept on record.

5] Accordingly, leave is granted to withdraw this appeal and the same is disposed of as withdrawn.

6] In view of disposal of appeal, civil application does not survive and is disposed of accordingly. Interim order granted earlier stands vacated.

**(M. S. SONAK, J.)**