

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.58 OF 2017
WITH
CIVIL APPLICATION NO.80 OF 2017
IN
APPEAL FROM ORDER NO.58 OF 2017
WITH
APPEAL FROM ORDER NO.59 OF 2017
WITH
CIVIL APPLICATION NO.81 OF 2017
IN
APPEAL FROM ORDER NO.59 OF 2017**

Madam Mohan Chandrabhan Gupta ..Appellant/Applicant
V/s.
The Municipal Corporation of
Brihanmumbai ..Respondent

Ms.Hetal Patel for the Appellant/Applicant.

CORAM : M. S. SONAK, J.

DATE : 14 FEBRUARY 2017.

P.C.

1. The learned counsel for the appellants in both these appeals, crave leave to withdraw these appeals with liberty to file appropriate proceedings to challenge the impugned order. As against the impugned order, the appeal from order under Order 43 Rule 1 of the C.P.C. is not maintainable. In these circumstances, the request made by the learned counsel for the appellant is reasonable

and deserves to be accepted. The appeals are disposed of as withdrawn with liberty as applied for.

2. All concerned to act on the basis of the authenticated copy of this order.

(M. S. SONAK, J.)