

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO.266 OF 2015
IN
NOTICE OF MOTION (SUITS) No.490 OF 2014
WITH
NOTICE OF MOTION (APPEALS) NO.1878 OF 2016
IN
APPEAL NO.266 OF 2015**

Dawoodbhoy Fazalbhoy (Muslim)
Education Trust and others ... Petitioners.

Versus

Nathani Sheltors Pvt. Ltd. ... Respondent

....
Ms. Anusha Jagadeesh i/b. Bharucha & Partners for the Appellants.
....

**CORAM : NARESH H. PATIL AND
Z.A. HAQ, JJ.**

14th September, 2017.

P.C.:

1. The learned counsel appearing for the appellant placed on record order passed by the learned Single Judge (Coram: K.R. Shriram, J) on 31st August, 2017 in Suit No.258 of 2015. The counsel appearing for the appellant submits that by the said order the Suit has been withdrawn. Therefore, the counsel appearing for the appellant seeks leave to withdraw this appeal.

2. Leave is granted. The appeal is dismissed as withdrawn.

3. In view of the dismissal of the Appeal No.266 of 2015, the Notice of Motion (Appeals) bearing No.1878 of 2016 does not survive and the same is also disposed of as such.

(Z.A. HAQ, J)

(NARESH H. PATIL, J)