

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER STAMP NO. 4401 OF 2018
WITH
CIVIL APPLICATION STAMP NO.4403 OF 2018

Sanjiv Jagdish Chandwani ..Appellant
v/s.
Municipal Corporation of Gr. Mumbai and Anr. ..Respondents

Mr. P.S. Dani, Senior Advocate a/w Mr. Dinesh Pednekar and Mr. Shailsh Poria i/b Economic Laws Practice for the Appellant.
Mr. P.K. Dhakephalkar, Senior Advocate a/w Amogh Singh i/b Mr. Jeet Gandhi for the Respondent.
Mrs. M.R. Bhoir Advocate for MCGM-Corporation.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th MARCH, 2018.

P.C.

. Mr. Dani, learned Counsel for the appellant had argued the matter at length. In the course of the hearing, Mrs. Bhoir, the learned counsel for the Corporation contended that the suit is barred in view of provision under Section 149 of the MRTP Act.

2. Faced, with this difficulty, Mr. Dani, learned counsel for the appellant under the instructions, seeks leave to withdraw the appeal. He further submits that the plaintiff will also withdraw the suit within a period of one week and seeks liberty to file a Writ Petition.

3. In the light of above, leave is granted to withdraw the appeal. The appeal is accordingly dismissed as withdrawn. The appellant is also permitted to withdraw the suit within a week and is given liberty to file Writ Petition.

4. Ad-interim relief granted by this Court by order dated 12th February 2018, shall continue for a period of four weeks from the date this order is uploaded.

5. Civil application, if any, stands disposed of.

6. Parties to act on authenticated copy of this order.

(ANUJA PRABHUDESSAI, J.)