

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER (STAMP) NO.5302 OF 2018
WITH
CIVIL APPLICATION (STAMP) NO.5304 OF 2018
IN
APPEAL FROM ORDER (STAMP) NO.5302 OF 2018**

Joe Savio D'souza ...Appellant
Versus
Mrs. Daisy Savio D'Souza & Ors. ...Respondents

.....

Mr. Sujit Mane i/b. Mr. Vincent X D'silva for the Appellant/Applicant.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED: 3rd APRIL, 2018.**

P.C.:-

The learned counsel for the Appellant submits that the Appeal has been wrongly filed on Appellate Side and that it ought to have been filed on Original Side. He therefore, seeks leave to withdraw the Appeal from Order with liberty to file it before the Original Side. Leave with liberty as prayed for is granted.

2. The Appeal from Order is dismissed as withdrawn.

3. In view of withdrawal of the Appeal from Order, the Civil Application (stamp) No.5304 of 2018 does not survive and hence, stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)