

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

**APPEAL FROM ORDER NO.486 OF 2018
WITH
CIVIL APPLICATION NO.639 OF 2018
IN
APPEAL FROM ORDER NO.486 OF 2018**

Ashok Kumar ...Appellant/Applicant
Versus
Assistant Municipal Commissioner
and Anr. ...Respondents

.....

Mr. Sagar Batavia with Mr. Brijesh Sharma I/b. Mr. Anand Giri for the
Appellant.
Mrs. Madhuri M. More for the Respondent No.1.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 22nd FEBRUARY, 2019.

P.C.:-

By this appeal, the Appellant had challenged the impugned order dated 27th December, 2017 whereby the learned Judge, City Civil Court, Mumbai, had refused to grant ad-interim relief.

2. The learned counsel for the Appellant, under instructions from the Appellant, who is present before the Court seeks leave to withdraw the appeal since the notice of motion in which the impugned order has passed was already been disposed of on merits. Leave is granted.

3. The appeal is dismissed as withdrawn.
4. In view of withdrawal of the appeal from order the civil application does not survive and hence stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)