

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

APPEAL FROM ORDER NO.239 OF 2019

WITH

CIVIL APPLICATION NO.278 OF 2019

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Anand B. Mishra i/b Mr.A.M.Saraogi for the appellant

Ms.Asha Bhambwani i/b Ms.Rajlaxmi Punjabi for the respondent no.1

**CORAM : K. K. TATED, J
DATE : APRIL 10, 2019**

P.C.:

. Heard.

2 By this Appeal from Order, appellant original plaintiff is challenging the order dated 30.11.2018 passed by Bombay City Civil Court at Bombay in Notice of Motion No.4270 of 2018 declining to grant any ad-interim relief in favour of plaintiff.

3 The learned counsel for the appellant

submits that he received instruction from the son of his client who is present in court that they may be permitted to withdraw the present Appeal from Order with request to direct the Trial Court to decide Notice of Motion No.4270 of 2018 as early as possible. To that effect, he has given in writing. Same is taken on record and marked "X" for its identification. Same is accepted.

4 The learned counsel for the Appellant submits that till today Respondents original defendants have not filed any reply in Notice of Motion. He submits that Respondents may be permitted to file the same so that matter be decided as early as possible.

5 Considering these facts, following order is passed:

- a Appeal from Order as well as Civil Application stand disposed of as withdrawn.
- b No order as to costs.
- c Respondent original defendants are directed to file their Affidavit-in-Reply if any on or before 7.6.2019 with copy to other side.
- d Rejoinder if any be filed on or before 27.6.2019 with copy to other side.
- e Hearing of Notice of Motion No.4270 of 2018 in Special Civil Suit No. 3412 of 2018 is expedited.

f This court expects Trial Court to decide Notice of Motion No.4270 of 2018 as early as possible but in any case on or before 31.3.2020.

g Trial Court to decide Notice of Motion without influencing the earlier order and or order passed by this court.

Parties to act on authenticated copy of this order.

(K.K.TATED, J.)