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

**APPEAL FROM ORDER NO. 403 OF 2019
WITH
CAA NO. 489 OF 2019
WITH
CAA NO. 490 OF 2019**

Oberoi Splendor Flat Owners Association
through its Authorised Representative

..Appellant

Vs

M/s Oberoi Constructions Pvt. Ltd.

..Respondent

Mr. Mohit Bharadwaj i/b Rajesh D. Bindra for Appellant.

Mr. Thomas James a/w Mr. Prithvi Aringale i/b Auris Legal for Respondent Nos.3 to 21.

CORAM : A.S.GADKARI, J.

DATE : 6th January 2020.

P.C.:

1] Learned counsel for the appellants on instructions submitted that, in view of change in circumstances the appellants have filed a fresh Notice of Motion, bearing No.1269 of 2018 and the same is pending for hearing before the Trial Court. In view thereof, he on instructions seeks leave to withdraw the present Appeal from Order with liberty to pursue the aforesaid Notice of Motion before the Trial Court.

Leave and liberty granted.

2] Appeal from Order is disposed off as withdrawn with aforesaid liberty.

3] In view of disposal of the appeal, both Civil Applications do not survive and the same are accordingly disposed off.

(A.S.GADKARI, J.)