

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

**APPEAL FROM ORDER (ST.) NO. 30346 OF 2019
WITH
INTERIM APPLICATION NO. 01 OF 2019**

Mohammed Ali Suleman Ghaswala	...	Appellant
V/s.		
Municipal Corporation of Gr. Bombay	...	Respondent

Mr. Induprakash Tripathi a/w. Ms. Bhagyashree Gawas i/b. Mr. C.K. Tripathi for Appellant.
Ms. Madhuri More for Respondent-Corporation.

**CORAM : A.S. GADKARI, J.
DATE : 7th February 2020.**

PC. :

1] After hearing the learned counsel for the appellant at length when this Court expressed its disinclination to grant relief, the learned counsel, on instructions seeks leave to withdraw the present appeal unconditionally.

Leave granted.

2] Appeal is dismissed as withdrawn.

3] The learned Judge seized of Notice of Motion filed by the appellant/original plaintiff in L.C. Suit No. 2212 of 2019 is hereby requested to expedite the hearing of the said Notice of Motion and to conclude it within a period of four months from the date of receipt of the present Order.

4] The Trial Court will not get influenced by the dismissal of the present Appeal and will decide the Notice of Motion on its own merits.

5] In view of dismissal of Appeal, the Interim Application does not survive and is accordingly disposed off.

[A.S. GADKARI, J.]