

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER NO. 743 OF 2015****WITH****INTERIM APPLICATION NO.2226 OF 2021**

M/S. Mithila Builders And Developers Pvt. Ltd. ... Appellant

**V/s.**

Arun Yashwant Patil And Ors. ... Respondents

Smt.Eventa A. Gonsalves i/b. Legal Bond for Appellant/Applicant.  
Mr.A.R.Gole for Respondent Nos.1 to 24.

**CORAM : A.S. GADKARI, J.**

**DATE : 7<sup>th</sup> September, 2021.**

**PC. :**

1. Smt.Gonsalves, learned counsel for Appellant, on instructions seeks leave to withdraw the present Appeal unconditionally.

Leave granted.

2. Appeal is disposed off as withdrawn.

3. In view of withdrawal of present Appeal, Interim Application No.2226 of 2021 does not survive and is accordingly disposed off.

4. The suit filed by the Appellant bearing Special Civil Suit No.553 of 2013 is pending on the file of the learned Civil Judge, Senior Division, Thane for last about 8 years.

5. In view thereof, the learned Civil Judge, Senior Division, Thane,

seized of Special Civil Suit No.553 of 2013 is hereby requested to expedite the hearing of the said suit and to make an endeavour to conclude the hearing of the same within a period of one year from the date of receipt of present Order.

6. It is made clear that, the Order dated 26<sup>th</sup> April, 2017 passed in Civil Application No.988 of 2015 in Appeal from Order No.743 of 2015 will remain in operation till disposal of the said suit.

7. All the concerned to act on the basis of an authenticated copy of this Order.

**[A.S. GADKARI, J.]**

MANOJ R  
TANDALE

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