

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER NO.610 OF 2018****WITH****CIVIL APPLICATION NO.859 OF 2018**

Manoj Brijlal Kapoor

... Appellant

V/s.

Khandelwal Laboratories Pvt. Ltd. and Ors.

... Respondents

Mr.Manoj B. Kapoor, Appellant/Applicant present in person.

Mr.Vaibhav Bajpai i/b. Mr.Swapan Samdani, Advocate for Respondent No.1.

CORAM : A.S. GADKARI, J.**DATE : 31st August, 2021.****PC. :**

1. In pursuance of Order dated 17th August, 2021, the Appellant is unable to point out any provision in the Code of Civil Procedure (for short, 'CPC') to justify filing of present Appeal from Order under Order 43 Rule 1 of CPC.

2. Learned counsel appearing for Respondent No.1 submitted that, the Appellant had also filed Writ Petition No.6807 of 2018 before this Court impugning the very same Order dated 26th April, 2018 and the Co-ordinate Bench (Coram : Smt.Anuja Prabhudessai, J.) by its Order dated 18th March, 2021 was pleased to dismiss the said Petition by a speaking Order. He

tendered across the bar a photocopy of Order dated 18th March, 2021 passed in Writ Petition No.6807 of 2018 in that behalf.

3. It appears that, the Appellant is filing multiple proceedings impugning the same Order which is inappreciable. Even otherwise, the present Appeal from Order impugning the same Order dated 26th April, 2018 is not maintainable.

4. Appeal is accordingly dismissed summarily.

In view of dismissal of Appeal, Civil Application No.859 of 2018 does not survive and is accordingly disposed off.

[A.S. GADKARI, J.]

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