

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 192 OF 2021
WITH
INTERIM APPLICATION NO. 1881 OF 2021**

Govind Laxman Gaikwad

... Appellant

V/s.

M.S. Shetty,

Pratapanagar Co. Housing Society Ltd. & Anr.

... Respondents

Mr.Darshit Jain a/w. Mr.Premanand Torane and Mr.Pramod Tambe for Appellant.

Mr.Drupad Patil for Respondents.

CORAM : A.S. GADKARI, J.

DATE : 23rd August 2021.

PC. :

1. In view of preliminary objection raised by the learned counsel for Respondents on 17th August 2021, Mr.Darshit Jain, learned counsel appearing for the Appellant fairly submitted that, as per amended Section 26 of the Maharashtra Civil Courts (Amendment) Act 2015, the present Appeal would lie before the District Court.

He therefore seeks leave to withdraw the present Appeal with liberty to file an Appeal against the impugned Order dated 30th June 2021 passed below Exh.5 before the District Court, Alibaug (Panvel).

Leave and liberty granted.

2. Appeal is disposed off as withdrawn with aforesaid liberty.
3. In view of disposal of Appeal, Interim Application No.1881 of 2021 does not survive and is accordingly disposed off.

[A.S. GADKARI, J.]

OMKAR
SHIVAHAR
KUMBHAKARN

Digitally signed
by OMKAR
SHIVAHAR
KUMBHAKARN
Date:
2021.08.24
19:00:18 +0530