

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 298 OF 2021
WITH
INTERIM APPLICATION NO. 2618 OF 2021**

Mr. Wahid Rafik Patel

...Appellant/Applicant

V/s.

The Municipal Corporation of Gr. Mumbai
& Ors.

... Respondents

Mr. Vishal Kanade i/b Ms. Priti Shah for the Appellant/Applicant.

Mr. N.V. Walawalkar, Senior Advocate a/w Smt. Madhuri More for the
Respondent- M.C.G.M.

CORAM : A.S. GADKARI, J.

DATE : 28th October, 2021.

PC. :

1. After hearing the learned counsel for the Applicant/Appellant at length, when this Court was not inclined to interfere with the impugned Order dated 27th February 2020 passed in Notice of Motion No.838 of 2015, the learned counsel, on instructions, seeks leave to withdraw the present Appeal unconditionally.

2. He further seeks leave of this Court to file a fresh application/Notice of Motion before the trial Court by placing reliance on Deeds of Conveyance dated 6th September, 2005 and 10th April, 2014.

Leave granted, subject to permissibility as per the provisions of law.

It is needless to mention that, Respondent-Corporation has its right to oppose the said application on merits.

3. Appeal is disposed off as withdrawn in the aforesaid terms.

In view of disposal of the Appeal, Interim Application No.2618 of 2021, does not survive and is also disposed off.

[A.S. GADKARI, J.]

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