

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 247 OF 2023

Ashok Kapira Kuckian

...Appellant

Versus

The Billawar Association, Mumbai & ors.

...Respondents

WITH

INTERIM APPLICATION NO. 3453 OF 2023

Mr. Siddesh Pilankar, i/b Dr. Uday Warunjikar, for the
Appellant.

Mr. Girish Godbole, a/w Karan Mehta, Akash Shah and Punit
Vyas, for the Respondents.

CORAM: N. J. JAMADAR, J.

DATED : 28th APRIL, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the appellant seeks leave to withdraw the appeal as the appellant – plaintiff wishes to file an application to seek amendment in the plaint.
3. The learned Counsel for the appellant also seeks liberty to file a fresh Notice of Motion.
4. Appeal stands disposed as withdrawn.
5. If the plaintiff files an application for amendment of the plaint, the same shall be decided by the City Civil Court on its own merits and in accordance with law.

6. The appellant may take out a fresh Notice of Motion if permissible in law.

[N. J. JAMADAR, J.]