

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO.440 OF 2023
WITH
INTERIM APPLICATION NO.7922 OF 2023**

Santoshi Martand Sutar ...Appellant
vs.
Shivaji Rao Ajagekar and Others ...Respondents

Mr. Anand Mishra i/b. Mr. Ashok Saraogi, for the Appellant.
None for the Respondents.

**CORAM : N. J. JAMADAR, J.
DATE : JUNE 14, 2023**

P.C.:

1. Heard the learned counsel for the appellant.
2. The learned counsel for the appellant seeks leave to withdraw the appeal with liberty to file an application for amendment so as to implead the electricity distribution company as a party defendant to the suit and seek further interim reliefs.
3. Leave granted with liberty as prayed for.
4. In the event such an application for amendment is filed, the trial Court shall decide the same on its own merits and in accordance with law.
5. It is hereby made clear that this Court has not entered into the merits of the matter.
6. In view of above, Application also stands disposed.

(N. J. JAMADAR, J.)