

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 747 OF 2022
with
INTERIM APPLICATION NO.16673 OF 2022

Rajendraprasad Shyamji Yadav ..Appellant
Vs.
Sanyam Realtors Pvt.Ltd. ...Respondent

Mr.Prachi Khandge i/b. M.PVashi Associates, for Appellant.
Mr.Shardul Singh Thakur with Sakshi Agarwal with Vedanshi Shah, for the
Respondent.

CORAM : G.S. KULKARNI, J.
DATE : FEBRUARY 1, 2023

P.C.:

1. Not on board. Upon mentioning taken on board on a praecipe as moved on behalf of the appellant.
2. Learned Counsel for the appellant states that the appeal from order would not be maintainable against the impugned order dated 29 January 2022 which is passed on a suit filed under Section 6 of the Specific Relief Act. Learned Counsel for the appellant seeks leave to withdraw this appeal with liberty to institute an appropriate proceedings.
3. Allowed to be withdrawn with liberty to file appropriate proceedings. As the appellant was bonafide pursuing the present proceedings, it will be open to the appellant to urge all contentions on limitation in the proposed proceedings. All contentions of the parties on merits are expressly kept open.
4. In view of disposal of the Appeal, pending Interim Application would not survive, the same is disposed of.

[G.S. KULKARNI, J.]