

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST.) NO. 98857 OF 2020
AND
INTERIM APPLICATION NO. 17989 OF 2022
AND
INTERIM APPLICATION (ST.) NO. 98859 OF 2020
IN
DRAFT NOTICE OF MOTION NO. ...OF 2020
IN
S.C. SUIT NO. 603 OF 2020

Mr. Talakshi Keshavji Shah & Ors.Appellants

V/s.

Sanjeev Manmohan Gupta & Ors.Respondents

Minal Desai a/w. Mr. Sagar B. a/w. Mr. Sunil Dubey, for the Appellant.

Mr. Anuj Narula a/w. Mr. Manoj Agre and Mr. Krushang Kedia i/by. Adv. Girish Kedia, for Respondent No.1.

Ms. Hetal Patel a/w. Mr. Suraj Shetye, Preet Jetha, for Respondent No.2.

CORAM : SANDEEP V. MARNE, J.

DATED : 8 SEPTEMBER 2023.

P.C. :

1. The learned counsel for the Appellants, on instructions, seeks leave

to withdraw the Appeal with liberty to oppose the Plaintiff's Notice of Motion which is ripe for hearing. He would request for early disposal of the Notice of Motion. The Appeal is accordingly dismissed as withdrawn.

2. The City Civil Court is requested to decide the Notice of Motion as expeditiously as possible preferably within a period of four months from today. All questions raised in the Appeal are kept open.

3. With withdrawal of the Appeal, Interim Application No.17989/2022 taken out for condonation of delay and Interim Application (St.) No. 98859/2020 taken out for stay do not survive. The same are disposed of as having become infructuous.

**NEETA
SHAILESH
SAWANT**

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NEETA SHAILESH
SAWANT

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SANDEEP V. MARNE, J.