

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**APPEAL FROM ORDER NO. 721 OF 2023
WITH
INTERIM APPLICATION NO. 14907 OF 2023**

Pali Hill Neptune Co-operative
Housing Society Limited

...Appellant

V/s.

M/s. Prestige Builders, also
known as Prestige Construction
of Prestige Group and anr.

..Respondents

Mr. Ankit Lohia i/by. Mr. S.K. Dubey, for the Appellant.

Mr. Mayur Khandeparkar a/w. Ms. Aneesa Cheema a/w. Ms.
Delnavaz Patel, i/by. DSK Legal, for the Respondent No.1.

Mrs. Smita Tondwalkar for Respondent No.3.

CORAM : SANDEEP V. MARNE, J.

Dated : 6 September 2023.

P.C. :

1. The learned counsel for the Appellant, seeks leave to withdraw the Appeal with liberty to argue the Notice of Motion. Mr. Lohiya requests that the City Civil Court be requested to

expedite the hearing of the Notice of Motion. Reserving the liberty as prayed for, the Appeal from Order is **disposed of as withdrawn**.

2. The City Civil Court is requested to hear and decide the Notice of Motion within a period of two months.

3. With withdrawal of the Appeal from Order, the Interim Application does becomes infructuous and does not survive. The same is disposed of.

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SANDEEP V. MARNE, J.