

*Uday S. Jagtapds*

Corrected as per Speaking to Minutes order dated 25.09.2023 in bold

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 751 OF 2019
WITH
CIVIL APPLICATION NO. 479 OF 2019
IN
FIRST APPEAL NO. 751 OF 2019**

Mrs. Laxmibai Hirji Premji,
(Deleted Since deceased) Thr. LRs.
Suryakant Furia

.. Appellant

Vs.

Mulund Vimal Vihar CHS Ltd. & Anr.

.. Respondents

.....

Mr. Kunal Bhanage a/w Vasim Siddiqui i/b Akshay Pawar for the
appellant

Mr. Karl Tamboly a/w Ms. Naziya Khan and Mr. Nipeksh Jain i/b
Wadia Ghandy & Co. for the respondent no.1

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 4th SEPTEMBER, 2023

P.C.

1. Learned Counsel for the appellant, on instructions, seeks to withdraw the appeal.
2. The appeal stands disposed of as withdrawn.

3. In view of the disposal of the appeal, the civil application does not survive and the same is also disposed of.
4. Learned Counsel points towards Order 7 Rule 13 of the Code of Civil Procedure.
5. Upon **presenting such a plaint** the same shall be decided on its own merits.

(PRITHVIRAJ K. CHAVAN, J.)