

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 788 OF 2023
WITH
INTERIM APPLICATION NO. 15619 OF 2023

Cable Corporation of India Ltd.

...Appellant

V/s.

State of Maharashtra, Thr. The

Additional Chief Secretary and Ors.

...Respondents

Mr. S.U. Kamdar, Senior Advocate with Mr. Dharam Juman, Mr. Munaf Virjee, Mr. Yash Momaya, Mr. Nupur Jalan and Mr. Rushabh Parekh i/by. AMR Law, for the Appellant.

None for the Respondent.

CORAM : SANDEEP V. MARNE, J.

Dated : 21 September 2023.

P.C. :

1. Mr. Kamdar, the learned Senior Advocate appearing for the Appellant, on instructions seeks leave to withdraw the Appeal with liberty to file a proper application before the City Civil Court for amendment of the plaint for the purpose of adding 'Kanakia

Developers' as a party Defendant and for incidental amendments. He also seeks liberty to file fresh Notice of Motion for grant of interim and ad-interim relief after carrying out the amendment.

2. Reserving the liberties as prayed for, the Appeal is allowed to be withdrawn and disposed of. All contentions of the parties are kept open. Fresh Notice of Motion for grant of interim and ad-interim reliefs, if filed by the Appellant, shall be decided by the City Civil Court on its own merits without being influenced by is earlier order.

3. With disposal of the Appeal, Interim Application No. 15619/2023 does not survive. The same is disposed of as having become infructuous.

SANDEEP V. MARNE, J.

Note : Corrections are carried out in para-2 of the order only pursuant to speaking to minutes order dated 26 September 2023.

NEETA
SHAILESH
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