

Prajakta Vartak

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 77 OF 2023
IN
NOTICE OF MOTION NO.4313 OF 2022
WITH
INTERIM APPLICATION NO. 1051 OF 2023**

Eliza Saldanha

...Appellant

Vs.

Leena D'souza & Ors.

...Respondents

Mr. Vishal Pattabiraman i/b. Mr. Jayesh Mestry for Appellant.

Mr. J.S. Kini with Mr. Aum Kini i/b. Ms. Sapna Krishnappa for Respondent No.1.

Mr. S.M. Seegarla for Respondent Nos.3, 5 & 6.

CORAM : G.S. KULKARNI, J.

DATE : FEBRUARY 10, 2023

P.C.:

1. On an application being moved on behalf of the appellant, this appeal is listed today for withdrawal.

2. Learned counsel for the appellant seeks leave to withdraw this appeal with liberty to the appellant to raise all contentions in the pending Notice of Motion No.4313 of 2022. Mr. Kini, learned counsel for respondent no.1 states that in so far as the disclosure in respect of shareholdings is concerned, his client would make a disclosure before the trial Court. Statement of Mr. Kini is accepted. All contentions in regard to the disclosure are expressly kept open to be urged before the learned trial Judge.

3. Allowed to be withdrawn with liberty as prayed for. Disposed of. No costs.

4. In view of disposal of the appeal, interim application would not survive. It is accordingly disposed of.
5. Liberty to apply for early hearing of Notice of Motion.

[G.S. KULKARNI, J.]