

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 945 OF 2023
WITH
INTERIM APPLICATION NO. 17327 OF 2023

The Tata Power Co. Ltd.

...Appellant

V/s.

Swanand Rajaram Arole & Ors.

....Respondents

Mr.Chirag Balsara a/w. Mr. H.N.Vakil, Ms. Suzan Vakil and Mr. Farhad Vakil i.by. Mulla & Mulla and Cragie Blunt and Caroe for the Appellant.

Mr. Avinash B. Avhad, for Respondent no.1.

CORAM : SANDEEP V. MARNE, J.

Dated : 28 November 2023.

P.C. :

1. Mr. Avhad, the learned counsel appearing for Respondent No.1 raises objection to the maintainability of the present Appeal on the ground that the order challenged in the present Appeal is passed under the provisions of Section 151 of the Code of Civil Procedure.

2. Mr. Balsara, the learned Counsel appearing for the Appellant seeks leave to withdraw the Appeal with liberty to file appropriate proceedings challenging the impugned order. Reserving the liberty so prayed for, the Appeal is allowed to be withdrawn and **disposed of**.

3. With disposal of the Appeal, Interim Application taken out therein does not survive. The same also stands disposed of.

SANDEEP V. MARNE, J.

KISHOR
VISHNU
KAMBLE

Digitally
signed by
KISHOR
VISHNU
KAMBLE
Date:
2023.11.28
18:05:11
+0530