

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO. 3 OF 2023
IN
NOTICE OF MOTION NO. 190 OF 2015**

Vishwanath Manjunath Raykar And 10 Ors ...Appellants
Versus
Vikas Kapoor And 11 Ors ...Respondents

**WITH
INTERIM APPLICATION (L) NO. 40540 OF 2022
IN
APPEAL NO. 3 OF 2023**

Raju Krishna Raykar ... Applicant
Versus
Vishwanath Manjunath Raykar & Ors. ... Respondents.

Mr. Priyank Kapadia a/w. Mr. Ravish Mishra i/b. Mr. Vijay B. Dhingreja for appellants.

Mr. Karl Tamboly a/w. Mr. Shrey F. & Ms. G. P. Vas & Co., for respondent nos. 1 to 3.

**CORAM: K.R. SHRIRAM &
RAJESH S. PATIL, JJ**

DATED: 11th April, 2023

PC:-

1. Mr. Kapadia seeks leave to withdraw the appeal with liberty to

take out such proceeding as advised before the learned Single Judge.

2. Appeal dismissed as withdrawn with the liberty as prayed for.
3. We have not expressed any view on whether such an application can be taken and if taken what should be the out come of such an application.
4. All rights and contentions of parties are kept open.

(RAJESH S. PATIL,J.)

(K.R. SHRIRAM,J.)