

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****LETTERS PATENT APPEAL NO.91 OF 2013****IN****WRIT PETITION NO.6485 OF 1998****WITH****CIVIL APPLICATION NO.115 OF 2013**

Ashraf G. Kinikar of Mumbai

... Appellant

V/s.

Mohd. Manzoor Md. Hashim of Mumbai & Ors.

... Respondents

Mr. Shrinivasan Mudaliar i/b Federal & Company for the Appellant.

Mr. G.S. Hegde, Senior Counsel i/b Ms. P.M. Bhansali for Respondent No.1.

Mr. Hasan Sayed i/b Mr. R.A. Shaikh for Respondent Nos.2 and 3.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 8th January 2024.****P.C. :**

1) The Letters Patent Appeal against Order passed by the learned Single Judge, under the Maharashtra Co-operative Societies Act, 1960, according to us, is not maintainable.

2) Learned counsel appearing for the Appellant on instructions, therefore seeks leave to withdraw the Appeal with liberty, to pursue the remedy granted in favour of the Appellant, particularly in para No.(iv) of the impugned Judgment and Order dated 9th November, 2011.

Leave and liberty granted.

4) Letters Patent Appeal is disposed off as withdrawn with aforesaid liberty.

5) In view of disposal of the Letters Patent Appeal, Civil Application No.115 of 2013 pending therein does not survive and is accordingly disposed off.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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