

Jvs.

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

APPEAL NO. 81 OF 2024

IN

INTERIM APPLICATION NO. 887 OF 2020

IN

COMPANY PETITION NO. 166 OF 2002

M/s. Modistone Kamgar Sangharsh	}	Appellant
versus		
1) BIFR	}	
2) The Official Liquidator of Modistone	}	
Ltd.	}	Respondents

Mr. Rajdeep P. Lahiri with Mr. Makarand Vaidya i/b. Mr. Pramod Tambe for the appellant.

Mr. Mohit Khanna i/b. Khaitan and Khaitan for Modi Rubber Ltd. and Mr. U. K. Modi.

Mr. Mutahhar Khan for Official Liquidator.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 23rd APRIL 2024

P.C.:

- 1.** Heard learned counsel for the parties.
- 2.** Learned counsel for the appellant, on instructions, states that the appellant may be permitted to withdraw the appeal with liberty to move appropriate application seeking recall of the impugned order dated 14th February 2024 passed by the learned Single Judge.
- 3.** Accordingly, the appeal is dismissed as withdrawn with the liberty as prayed for.

JAYANT
VISHWANATH
SALUNKE

Digitally signed by
JAYANT
VISHWANATH
SALUNKE
Date: 2024.04.23
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(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)