

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

...

33 CIVIL REVISION APPLICATION NO. 88 OF 2014

**RAMESH MAGAN SHIMPI(JAGTAP) AND ANOTHER
VERSUS
THE CITY SURVEY OFFICER, NAGAR BHUMAPAN ADHIKARI,
JALGAON AND OTHERS**

...

Advocate for Petitioners :Mr. Talhar Ajay G.
Advocate for Respondent No2 : S. H. Tripathi,

...

CORAM : S. V. GANGAPURWALA, J.

DATE : 22nd September, 2015

PER COURT :

1. Mr. Tripathi, learned counsel for the respondent No.2 states that rejection of plaint amounts to decree within the meaning of section 2(2) of the Code of Civil Procedure and an appeal would be maintainable against the same. In the light of that, Mr. Talhar, the learned counsel for the applicant seeks leave to withdraw the civil revision application with liberty to file appeal before the appropriate forum.

2. Civil Revision Application is disposed of as withdrawn with liberty as aforesaid.

(S. V. GANGAPURWALA, J.)

JPC