

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.397 OF 2012

Keshav Tukaram Veerkar (decd) through his heirs
Shakuntala Keshav Veerkar and others ... Applicants
Vs.
Jayprakash Narayan Bhutkar and another ... Respondents

Mr. P. J. Thorat for Applicants.
Mr. Sandip Pathak a/w. Mr. D. J. Dalal i/b. Mr. Sugandh B. Deshmukh for
Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 11TH AUGUST, 2015

P.C. :

Heard Mr. Thorat, learned Counsel for the applicant and
Mr. Pathak, learned Counsel for respondent No.1.

2. By this Application under Section 115 of the Code of Civil Procedure, 1908, original defendant No.2 has challenged the judgment and order dated 10.02.2012 passed by the learned Joint Civil Judge, Senior Division, Satara below exhibit-1 in Regular Civil Suit No.35 of 2010. By that order, the learned trial Judge declared that the Civil Court, Senior Division has jurisdiction to entertain and try the Suit.

3. After arguing the Application for quite some time, Mr. Thorat seeks permission to withdraw this Application as also application exhibit-35 with liberty to file fresh application giving all the details.

4. On the motion made by Mr. Thorat, application exhibit-35 as also this Application are allowed to be withdrawn with liberty as prayed for. All contentions of the respondent No.1-plaintiff including the objections as regards maintainability of such application are expressly kept open.

It is made clear that I have not examined the merits of the proposed proceedings either way. C.R.A. is disposed of. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab