

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5025 OF 2013

1.Krishnanath Purushottam ..Petitioners
Naringrekar and Ors

Vs

1. Jagdeep Jagannath Talekar
and Anr. .. Respondents

Mr.B.K.Raje, Advocate for Petitioners.

Mr. Sushant Karandikar and Nidhi G. Dotiya, Advocate for
Respondent no.1.

Mr. Ashok B. Tajane, Advocate for respondent no.2.

CORAM : R.G.KETKAR,J.

DATE : 31/03/2015

PC:

1. Heard Mr. B. K. Raje, learned counsel for the petitioners,
Mr. Sushant Karandikar, learned counsel for respondent no.1
and Mr. Ashok B. Tajane, learned counsel for respondent no.2.

2. By this Petition under Article 227 of the Constitution of
India, the Legal Representatives of the Judgment Debtor have
challenged the Judgment and order dated 10.4.2013 passed
by the learned District Judge-1, Sindhudurg, Oros, in Regular
Civil Appeal No.140 of 2010. By that order, the learned
District Judge allowed the Appeal and quashed and set aside
the Judgment and order dated 30.10.2010 passed by the

learned Civil Judge, Senior Division, Sindhudurg-Oros, below Exhibit-1, in Special Darkhast No.13 of 1998.

3. Mr.Karandikar seeks permission to withdraw the Appeal itself with liberty to adopt appropriate proceedings. In view thereof, nothing survives in this Writ Petition and the same is disposed of. Respondent no.1 is allowed to withdraw Regular Civil Appeal No.140 of 2010 with liberty to adopt appropriate proceedings. It is expressly made clear that I have not examined merits of the case. All the contentions of the parties on merits are expressly kept open.

(R.G.KETKAR, J.)