

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2615 OF 2015
IN
FIRST APPEAL NO.1510 OF 2012

Khandelwal Engineering Co. Ltd. & anr. ... Applicants
Vs.
Malad Unique Classic Co-op. Hsg. Soc. Ltd. & Ors. ... Respondents

Mr.Siddharth Samantre a/w Akshay Udeshi i/b M/s.Shivalkar & Co. for the Applicants
Mr.D.S. Padwal for Resp. Nos.1 to 5
Ms.M.R. Bhoir for Resp. Nos.6,7 & 8 in all matters

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 19th AUGUST, 2015

P.C.:

1. This Civil Application is moved for withdrawl of the documents which are filed in the First Appeal. The learned Counsel for the applicants submits that the appellant has filed a Suit No.929 of 2013 which is pending before this Court on Original Side. The appellants are relying on the documents which are marked in exhibit A and filed in the appeal and therefore, the learned Counsel seeks to withdraw the documents which are mentioned in exhibit A.

2. The respondents submit that they have no objection if the documents are allowed to be withdrawn, upon submitting photocopies of those documents in place of the originals.

3. The documents are serial Nos.1, 2 and 3 mentioned in exhibit A are allowed to be withdrawn. These documents are allowed to be withdrawn on condition that the documents are substituted with photocopies of the same at the time of withdrawal itself. However, the request at serial No.4 is not allowed as it does not specify the date and description of the documents. Registry to take note accordingly.

4. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)