

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 149 OF 2014**

Smt. Shashikala Vishwanath
Shetty

..Applicant

Vs

1.The Court Receiver, High Court
.. and Ors

.. Respondents

None for Applicant/petitioner.

Mr.Hemant Ghadigaonkar, Advocate for Respondent no.4.

CORAM : R.G.KETKAR,J.

DATE : 10/06/2015

PC:

1. None appears for the petitioner. Heard Mr. Hemant Ghadigaonkar, learned counsel for respondent no.4.

2. By this Petition under Section 115 of the Code of Civil Procedure, 1908 (for short, 'C.P.C.'), the petitioner-original plaintiff has challenged the order dated 22.10.2013 passed by the learned Judge, City Civil Court (Borivali Division), Dindoshi in Chamber Summons No.659 of 2012. By that order, the learned trial Judge dismissed the Chamber Summons taken out by Hiralal S. Gupta for adding him as party defendant to the suit.

3. Mr. Ghadigaonkar has placed on record photocopy of case status which is taken on record and marked "X" for identification and submitted that the suit is withdrawn by the original plaintiff. He further states upon taking instructions from instructing Advocate Mr. Pradip Singh who has confirmed the fact of the

original plaintiff withdrawing the suit.

4. In view thereof, nothing survives in this Petition as the main suit, itself, is withdrawn. Hence, the Petition is disposed of as infructuous, reserving liberty to the petitioner to move this Court in case the suit is pending.

(R.G.KETKAR, J.)