

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 12 OF 2016

SHRI. JASJIT SINGH DHAMI AND ANR., ... Appellants
Versus
SHRI. GOKUL KUMAR AND 4 ORS., ... Respondents

Shri Kundan K. Mistra with Shri Ryan Da Piedade Menezes,
Advocates for the Appellants.

Shri Nitin Sardesai, Senior Advocate with Ms. Gautami Kakodkar,
Advocate for Respondent Nos. 1 and 2.

Coram:- C. V. BHADANG, J.

Date:- 8th December, 2016

P.C:

Heard for sometime.

2. The learned Counsel for the appellants, on instructions, seeks permission to withdraw the appeal with liberty to file an application under Order XXVI, Rule 9 of C.P.C., afresh, if so advised.

3. Shri Sardesai, the learned Senior Counsel for respondent nos. 1 and 2 submits that this Court may pass appropriate orders in this regard.

4. In such circumstances, the appeal is disposed of as withdrawn. Needless to mention that the appellants would be entitled to file an application under Order XXVI, Rule 9 of C.P.C., afresh after commencement of trial and if, such an application is filed, the Trial

Court shall decide the same on its own merits, in accordance with law.

C. V. BHADANG, J.

EV