

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

**CIVIL APPLICATION NO.253 OF 2016**

**IN**

**CIVIL REVISION APPLICATION NO.293 OF 2012**

Shri Pushottam R. Rathod ... Applicant

V/s.

Jayantilal Sankarchand Shah ...Respondent

**In the matter of**

Jayantilal Shankarchad Shah (Since decd)

through its legal heirs ... Applicant/ (Orig.  
Defendant No.1)

vs.

Shri Purshottam R. Rathod & Ors. ...Respondents.  
(Nos.1 & 2/Org. Plaintiffs  
and No.3-Org. Deft. No.2)

Mr. V. T. Lulla for the applicant  
None for the respondents.

**CORAM: K.K. TATED, J.  
DATED : 22<sup>nd</sup> APRIL, 2016**

**P.C. :**

. Heard learned counsel for the applicant. None for the original defendant.

2. Learned counsel for the applicant submits that the applicant Purshottam Ramji Rathod expired on 10/7/2015 and, therefore nothing survives in the present Civil Application. Hence, liberty to withdraw the Civil Application.

3. Civil Application is dismissed as withdrawn.

**(K.K. TATED, J.)**