

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3195 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr.Ganesh Ambekar i/b. M/s. Thakore Jariwala & Associates, for the Petitioners.	
CORAM : R. G. KETKAR, J.	
DATE : 01/12/2016	

P.C.:

1. Heard Mr.Ganesh Ambekar, learned Counsel for the petitioners.
2. By this Petition under Article 227 of the Constitution of India, the petitioners, hereinafter referred to as the 'defendants' have challenged the judgment and order dated 13.1.2016 passed by the learned Judge, City Civil Court, Greater Bombay in Summons for Judgment No.536/2014 in Summary Suit No.4274/2013. By that order, the learned trial Judge gave conditional leave to defend to defendants No.1, 3 & 4 subject to their depositing sum of Rs.4,75,000/- in the Court within one

month from the date of the order.

3. Mr.Ambekar states that the learned trial Judge decreed the suit on 23.11.2016. The Petition is, therefore, rendered infructuous. He states that the petitioners will consider filing substantive appeal against the trial Court's decree.

4. In view of these submissions, as the suit itself is decreed, the Petition is disposed of as infructuous reserving liberty to the petitioners to file substantive appeal. Order accordingly.

(R. G. KETKAR, J.)