

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

WRIT PETITION NO. 4868 OF 2015

Mr. Bomi J. Daruwalla & Ors.

...Petitioners

Versus

Mr. Ashok Raghunath Rokade & Ors.

...Respondents

.....

Ms. Jui A. Nerurkar for the Petitioners.

Mr. Shardul Singh a/w. Ms. Sushma Singh for the Respondent No.2.

CORAM : R. M. SAVANT, J.

DATE : 1st MARCH, 2016.

P. C. :

1. Ms. Nerurkar, the learned counsel for the petitioners in view of the supervening event of the suit being dismissed on the ground of maintainability, seeks withdrawal of the above writ petition. The writ petition is accordingly allowed to be withdrawn and dismissed as such.

2. In the event an appeal is filed by the respondent No.1 against the order dated 20.10.2015, it would be open for the petitioners to renew their application, which would undoubtedly be tried on its own merits and in accordance with law.

(R. M. SAVANT, J.)