

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1728/2016
IN
WRIT PETITION NO.4729/2005

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Manoj Harit i/b. Manoj Harit & Co. for the applicant

Mr. Shivajirao Masal for the respondent

CORAM : K. K. TATED, J.

DATE : AUGUST 10, 2016

P.C.:

1. Heard. The learned counsel for the applicant submits that in view of subsequent development that the Trial Court passed judgment and decree dated 07.04.2016 in Regular Civil Suit No. 108/2004 and they preferred an appeal before the District Court challenging the said decree, nothing survives in the Civil Application as well as the Writ Petition. Hence, the applicant may be permitted to withdraw both the proceedings. To that effect, he made an endorsement on a farad. Same is taken on record and marked "X" for identification.

2. The Civil Application as well as the Writ Petition stands dismissed as withdrawn in view of

subsequent development with liberty to the applicant to proceed with the appeal on merits, filed by them before the appellate court.

JUDGE