

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO. 82 OF 2014**

Sanjeevani Vijay Rana and Ors ..Applicants

Vs

Payarelal Jagan Kanojia and Ors .. Respondents

Mr. K.P.Tiwari i/b M/s K.P. Tiwari & Co , Advocate for Applicants.

Mr. D.R.Singh i/b R.B.Singh & Associates, Advocate for Respondents.

**CORAM : R.G.KETKAR,J.
DATE : 16/03/2016**

PC:

1. Heard Mr.K.P.Tiwari, learned counsel for the applicants and Mr. D.R.Singh, learned counsel for respondents.
2. By this Application under section 115 of C.P.C., applicants have challenged the Judgment and decree dated 20.3.2013 passed by the learned Judge, presiding over Court Room No.13 of the Bombay City Civil Court at Bombay in B.C.C.C Suit No.3406 of 2011. By that order, the learned trial Judge decreed the suit instituted by the respondents under section 6 of the Specific Reliefs Act, 1963 and directed the applicants herein to restore the possession of flat no.111, situate on the first floor, 'C' Wing, Rajeshri Apartment Residency Complex CHS Ltd, Mahavir Nagar, Kandivali (W), Mumbai 400067, to the plaintiffs within a period of

one month from the date of the order.

3. Mr. Tiwari states that applicant no.1 is present in the court. Upon taking instructions from her, he states that the applicants have already initiated proceedings for recovery of possession of the suit premises by instituting proceedings before Competent Authority under the Maharashtra Rent Control Act, 1999. He, therefore, seeks permission to withdraw this Application. He further states that the Competent Authority may be directed to dispose of the said proceedings in accordance with law and uninfluenced by observations made in the impugned order.

4. In view thereof, on the motion made by Mr. Tiwari, Application is allowed to be withdrawn and is disposed of as such. The Competent Authority will decide the said proceedings in accordance with law and uninfluenced by the observations made in the impugned order. Order accordingly.

(R.G.KETKAR, J.)