

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7412 OF 2015**

Mr. Vincent Francis Lobo & Ors.

..Petitioners

Vs.

M/s. Ahura Engineering co. & Ors.

..Respondents

**Mr. A. R. Pai a/w Mr. Aditya Parab i/b Thodur Law Associates for the
Petitioners**

Mr. J. A. Khan for the Respondent No.1

CORAM : R. M. SAVANT, J.

DATE : 3rd MARCH, 2016

P.C.

1 The Learned Counsel appearing on behalf of the Respondent No.1 Mr. Khan points out that in view of the non compliance of the order impugned in the present Petition, the defence of the Petitioners in L. E. Suit No.120/148 of 2012 has been struck off on 1-2-2014. The Learned Counsel further states that the Revision filed by the Petitioners was also dismissed on 5-5-2015. The Learned Counsel appearing on behalf of the Petitioners Mr. Pai seeks withdrawal of the above Petition with liberty to challenge the order passed by the Trial Court dated 1-2-2014 and the order passed by the Revisionary Court i.e. the order dated 5-5-2015 as also the order impugned in the present Petition dated 25-6-2013, by filing a composite Petition. The above Petition is accordingly allowed to be withdrawn with liberty as prayed for. Needless to state that the contentions of the parties on all aspects are kept open for being urged in the Petition that would be filed challenging the said orders.

[R.M.SAVANT, J]