

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION**

WRIT PETITION NO. 3860 OF 2013

Mohd. Salim Maksood Bux .. Petitioner
v/s.

Mehmood Kawaja & Ors. .. Respondents

Mr. Indu Prakash Tripathi a/w Virendra Tripathi i/b C.K. Tripathi for
the petitioner

Ms. S.P. Trivedi i/b A. Bharat & Co. for the respondent

CORAM : M.S. SANKLECHA, J.

DATED : 9th AUGUST, 2017

PC.

1. Mr. Tripathi, learned Counsel appearing for the petitioner states that by impugned order dated 28th March, 2013, the City Civil Court rejected the petitioner's application for being cross-examined on commission at his residence. Mr. Tripathi, further states that the petitioner has now expired. Therefore, he is not in a position to withdraw the petition in the absence of petitioner's instructions.

2. In the above view, the petition is dismissed as infructuous.

(M.S. SANKLECHA, J.)