

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 928 OF 2018

Godumal Narayandas Kishnani .. Petitioner

Vs.

Shri. Premchand @ Prem Tejumal Chichrya
@ Gurdasani and Ors. .. Respondents

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Mr. G.S. Godbole, Sr. Advocate a/w Drupad Patil and Ketki Gadkari, for petitioner.

Mr. Atharva A. Dandekar, for respondent Nos. 5 to 9.

Mr. N.R. Bubna, for respondent Nos. 1 to 4.

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CORAM : M.S. SONAK, J.

DATE : 27th JULY, 2018.

P.C. :-

1. After the matter was argued for sometime, Mr. Godbole, learned Counsel for the petitioner, seeks leave to withdraw this petition with liberty to challenge the impugned order, in case the main suit is decided against the petitioner and the petitioner chooses to appeal such decree. This request is on basis of written instructions received on e-mail from the petitioner Mr. Godumal Kishnani.

2. He states that a request is being made since the impugned order is interlocutory and the learned trial Judge has granted liberty to the parties to lead their evidence while hearing the issue of limitation.

3. The request made by Mr. Godbole, is quite consistent with the provisions of Section 105 of CPC.

4. Therefore, leave is granted to withdraw this petition with liberty as prayed for. All contentions of all parties if any occasion arises to challenge the impugned order, are kept open.

(M.S. SONAK, J.)