

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6894 OF 2015

Dr Qureshi Mohammed Yakub and others	... Petitioners
v/s	
Rafika Ibrahim Qureshi and others	... Respondents

Dr Qureshi Mohammed Yakub, Petitioner No.1 present in person.
Mr. Mohammed Sharif Lakdawala i/b M/s Shamim and Co. for Petitioner.

CORAM : B.P. COLABAWALLA, J.

DATE : 07th DECEMBER, 2018

P.C.:

1. This Writ Petition has been filed seeking to challenge the order dated 21st February 2015 passed by the Bombay City Civil Court in Chamber Summons No.2341 of 2013 in High Court transferred Suit No.1425 of 1991. This Chamber Summons was taken out by the Applicant for being impleaded as a Defendant on the basis that she was the daughter of the deceased Mohammed Usman. This Chamber Summons came to be allowed by the impugned order. It is this order that is challenged by the Petitioners (original Plaintiffs before the Trial Court).

2. The learned counsel appearing on behalf of the Petitioners, on instructions from the Petitioner No.1, who is present in Court, states that now a final decree has been passed in terms of the consent terms filed before the Trial Court and hence nothing survives in this Writ Petition. He therefore seeks leave to withdraw the same.

3. In view of this subsequent development, leave is granted and the Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

(B. P. COLABAWALLA, J.)