

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

APPEAL FROM ORDER (ST) NO. 29913 of 2017
with
CIVIL APPLICATION (ST) NO.29914 OF 2017
IN
APPEAL FROM ORDER (ST) NO. 29913 OF 2017

Shiteejsharad Ruia & Ors.

..Appellants

v/s.

Rajesh Meghani & Ors.

..Respondents

Mr. B.S.Shukla for the Appellant

Mr. Uday Warunjikar i/b. Ashish Dubey for the Respondent No.1.

Mr.Vijay Waghela for the Respondent Nos.2 to 8

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 19th MARCH, 2018.**

P.C.

1. In the course of hearing, upon instructions, the learned Counsel for the appellant submits that the appellant herein will file a suit for partition within four weeks from today, and immediately thereafter he will withdraw the suit, being Suit No.2835 of 2014 pending before the City Civil Court at Dindoshi. Statement accepted.
2. The learned Counsel for the appellant seeks liberty to withdraw

the appeal and prays that the interim relief may be continued for a period of four weeks.

3. In the light of the statement made by the learned Counsel for the appellant, the appeal is dismissed as withdrawn.

4. The ad-interim relief granted in this appeal from order to continue for a period of four weeks i.e. till the date the appellant files a suit for partition.

5. It is made clear that this court has not gone into the merits of the case. All points and contentions are specifically kept open. It is made clear that the interim relief granted in this appeal from order shall cease to operate and will stand vacated, in case the suit for partition is not filed within four weeks.

6. The Appeal from Order as well as Civil Application (st) No.29914 of 2017, stand disposed of accordingly.

(ANUJA PRABHUDESSAI, J.)