

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3358 OF 2019

Ravindra Sadashiv Mhatre and Ors. ...Petitioners
vs.
Subhash Motiram Mhatre and Anr. ...Respondents

Mr. B.G. Ligade I/b. Mr. D.S. Patil, for the Petitioners
Mr. S.R. Ganbavale, for Respondent Nos. 1 and 2.

CORAM : M. S. SONAK, J.

DATE : APRIL 03, 2019

P.C.:

. After the matter is argued for some time, the learned counsel for the Petitioners seek leave to withdraw this Petition with liberty to challenge the impugned order by resort to provision under Section 105 of Code of Civil Procedure. Accordingly, leave is granted with liberty as prayed for.

2. The aforesaid means that in case the suit is decided against the Petitioners and the Petitioners chooses to lodge Appeal against the decree, the Petitioners will have right to question the impugned order in such Appeal by resort to provision under Section 105 of Code of Civil Procedure on all grounds including the grounds raised in this Petition.

3. With the aforesaid clarification, the Petition is disposed of.

(M. S. SONAK, J.)