

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1045 OF 2018
WITH
CIVIL APPLICATION NO. 1528 OF 2019
IN
FIRST APPEAL NO. 1045 OF 2018

Mr.Rajesh Darshanlal Bindra & Anr. ...Appellants

Versus

Mr.Kailash Nemade and Ors. ...Respondents

.....
Mr.Prasad P. Pathare for the Appellants.

.....
CORAM: V.G.BISHT, J.
DATE: 16TH DECEMBER, 2019

PC:-

1. The learned Counsel for the appellants seeks permission to withdraw the First Appeal with liberty to file an appropriate Revision Petition. He prays that the time spent by the appellants from the date of filing of the present Appeal till the date of order to be excluded while considering the issue of limitation.

2. Permission is granted. First Appeal is dismissed as withdrawn with liberty to file Revision Petition. The issue of limitation shall not be raised at the time of considering the Revision Petition.

3. Refund of Court fees, if any, as per Rules.

4. In view of disposal of the First Appeal, nothing remains in the Civil Application and the same is accordingly disposed of.

(V.G.BISHT, J.)