

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST) NO. 12475 OF 2019
IN
CHAMBER SUMMONS NO. 1217 OF 2017
IN
SUMMARY SUIT NO. 431 OF 2014
WITH
CIVIL APPLICATION NO. 959 OF 2019

Mr.Achelesh Daga & Ors.	...Appellants/Applicants
Vs.	
Nikhil Kumar Daga & Anr.	...Respondents/Orig.Plaintiff and Defendant respectively

Mr.Pankaj Kowli I/b. Kookada and Associates for Appellants.
Ms.Sheetal Parkash for Respondent No.1.

CORAM : S.C. GUPTE, J.

DATE : 19 AUGUST 2019

P.C. :

This appeal from order challenges an order passed by the Bombay City Civil Court on a chamber summons to set aside an exparte decree passed in a summary suit.

2 Learned Counsel for the Appellant seeks leave to withdraw the
appeal from order with liberty to adopt such proceedings, as may be
permissible to him in law.

3 The appeal from order is dismissed as withdrawn with liberty
as prayed. In view of the disposal of the appeal, the civil application does
not survive and the same is also disposed of.

(S.C. GUPTE, J.)