

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER NO. 800 OF 2018****WITH****CIVIL APPLICATION NO. 1032 OF 2018****IN****APPEAL FROM ORDER NO. 800 OF 2018**

Ashish Hasmukhrai Piparia & Ors.

.....Appellants.

Vs.

Pragnabhen B. Sanghvi & Ors.

.....Respondents.

Mr. Sajid Shamim a/w Mr. Murtuza Slalewala i/by Shamim & Co. for
the Appellants.

None for the Respondents.

CORAM : A. S. GADKARI, J.**DATE : 11th NOVEMBER, 2019.****P.C.:-**

Learned counsel for the Appellants submitted that, the
present Appeal from Order has been erroneously filed and substantive
Writ Petition would lie against the impugned Order.

He, therefore, seeks leave to withdraw the present Appeal
with liberty to file a substantive Writ Petition impugning the Order
dated 5th April, 2018 passed by the learned Judge of City Civil Court,

Mumbai.

Leave and liberty granted.

2 Writ Petition is disposed off, as withdrawn with aforesaid liberty.

3 In view of disposal of Writ Petition itself, Civil Application Nos. 1032 of 2018 does not survive, is also disposed off.

(A.S. GADKARI, J.)