

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
CIVIL REVISION APPLICATION NO.319 OF 2017

K.R. Singh (deceased) through LRS]	
Vatsala Kumar Singh (deleted)]	
Rajkumar Kunwar Singh and others.]	Applicants
Vs.	
N.H. Sethna]	
F.M. Dalal]	
Eddie Phiroz Bharucha and others]	Respondents

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Mr. Mohan Dhamal, for the Applicants.

Ms. Robab Ghugaria i/b FZB & Associates, for the Respondents.

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CORAM : R.G. KETKAR, J.

DATE : 16th JANUARY, 2019.

P.C.

Not on board. At the request of Mr. Dhamal, taken up in the production board.

2. Heard Mr. Dhamal, learned Counsel for the applicants and Ms. Ghugaria, learned Counsel for the respondents.

3. Mr. Dhamal states that C.R.A was admitted on 13th September, 2017 and Office has wrongly shown it as disposed of. He submitted that in the execution proceeding filed in the Small Causes Court pursis was filed on 21st December, 2018 to the effect that the applicants have vacated the suit premises namely Flat No.1, Clerk House, First Floor (North Wing) 8, Wodehouse Road, Mumbai 400 001 which was subject matter of R.A.D Suit No239/1077 of 1973.

The applicants have also handed over keys to the respondents and they have acknowledged receipt of the keys on 15th January, 2019. He has tendered photo copies of pursis on record which are taken on record and marked “X Colly” for identification.

4. In view thereof, Mr. Dhamal seeks permission to withdraw the C.R.A. Ms. Ghugaria has no objection. In view thereof, on the motion made by Mr. Dhamal, C.R.A is allowed to be withdrawn. Rule is discharged with no order as to costs.

[R.G. KETKAR, J.]