

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9559 OF 2019

M/s Universal Dyg. & Printing
Works

... Petitioner

Versus

Jayesh Navinchandra Majithia
And Others

... Respondents

.....

Ms. Tanmayi Gadve a/w Mr. Sunil Gangan and Mr. Swapnil Shikhare
i/b RMG Law Associates for the Petitioner.

.....

CORAM : S.C. GUPTE, J.

DATE : 28 AUGUST 2019

P. C. :

. Heard learned Counsel for the parties.

2 This petition challenges an order passed by the Court of Small Causes at Mumbai on an application made to it by the Petitioner (original defendant) for rejection of the suit filed by Respondent Nos.1 and 3 herein (original plaintiffs). The application was on the ground that during the pendency of the suit, the Respondents, who were the landlords of the suit premises, had transferred the same to a third party, who is arraigned as Respondent No.4 to the present writ petition. The application was rejected by the trial court.

3 After the matter is heard at some length, learned Counsel for the Petitioner seeks leave to withdraw the petition, seeking liberty, however, to raise all grounds urged in the present petition for non-suiting Respondent Nos.1 to 3 as the plaintiffs in the pending suit. The writ petition is withdrawn with liberty as prayed.

(S.C. GUPTE, J.)