

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

**CIVIL APPLICATION NO. 2863 OF 2019
IN
FIRST APPEAL NO. 859 OF 2019**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mohit Arora with Akshay, Aman Arora i/b M/s. Desai & Diwanji for the Applicant. Uma Sharma i/b Dharam & Co. for Respondent Nos. 1 & 2.	

**CORAM: K.K.TATED, J.
DATED : OCTOBER 15, 2019**

P.C.

1 Heard.

2 By this Civil Application, the Applicant/Original Defendant is seeking stay of the operation and implementation of the Judgment and decree dated 07/12/2018 passed by the Bombay City Civil Court, Bombay in Suit No. 7566/2003.

3. After hearing some time, the Learned Counsel for the Applicant submits that the Applicant may be permitted to withdraw the present Civil Application with liberty to file a fresh for separate cause of action. To that

effect he has given in writing and the same is taken on record and marked 'X' for identification. The statement is accepted. Hence, the following order is passed:

- a. Civil Application stands disposed of as withdrawn with liberty to file a fresh for separate cause of action.
- b. No order as to costs.

(K.K.TATED, J.)