IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION (MCA) NO. 118/2019
IN
WRIT PETITION NO. 5501/2017

Indrakumar Hemraj Rahi & anr.
..VS..
Sureshkumar Shankarlal Agrawal

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri S.D. Sirpurkar, Advocate for the applicant/petitioner(s)

CORAM : Z.A.HAQ, J.
DATED : 25/02/2019

By this application, the applicants have prayed that the order passed by this Court on 13/08/2018 dismissing the petition for want of prosecution be recalled and the writ petition be restored. By the order dated 23/08/2017, this Court has recorded that the petitioners had given up the challenges in the writ petition and the advocate for the petitioners had stated that the petition was not pressed. Notice was issued to the respondent only to ascertain as to whether the respondent was willing to grant some time to the petitioner to vacate the suit premises.

After noticing the order dated 23/08/2017, the advocate for the applicants has sought permission to withdraw this miscellaneous civil application.

The miscellaneous civil application is **dismissed** as withdrawn. No costs.

It is clarified that interim order granted by this Court on 23/08/2017 was otherwise in force only till 18/09/2017. The interim order is not in force and the respondent – Decree holder is at liberty to proceed with the execution.

JUDGE

Ansari