

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

CIVIL REVISION APPLICATION NO. 153/2017

Jitendra U. Bhele & ors.

..VS..

Ghanshyam R. Sarda

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

Court's or Judge's orders

Shri P.S. Patil, Advocate for the applicant(s)
Shri A. Upasani, Advocate for the non-applicant

CORAM : Z.A.HAQ, J.
DATED : 26/08/2019

The objection filed by the applicants under Section 47 read with Section 151 of the Code of Civil Procedure was dismissed by the executing Court by the order dated 20/08/2011. Against this order, the applicants (judgment debtors) had filed appeal under Section 96 of the Code of Civil Procedure which is dismissed by the impugned order. The learned District Judge has recorded that the appeal filed by the judgment debtors was not maintainable.

After arguing for sometime, the learned advocate for the applicants realized difficulty that the order passed by the District Court appears to be proper, hence sought permission to withdraw the revision application with liberty to challenge the order dated 20/08/2011 before appropriate forum in appropriate proceedings.

The civil revision application is **dismissed** as withdrawn with liberty as prayed for. In the circumstances, the parties to bear their own costs.

JUDGE