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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2100 OF 2019
IN
FIRST APPEAL NO.3 OF 2019

Vidya A. Pathak ...Applicant

V/s.
Geeta Muzumdar ...Respondent

Mr.R.M. Nakhwa with Mr.V.D. Dhavan for the Appellant.

Ms.Sukunta A. Chimalkar i/b Mr.S.B. Prabhawalkar for the
Respondent Nos.1 and 2.

Ms.Neha Dhuru i/b Mulla & Mulla & C. B. & C. for the Respondent
No.3.

CORAM : R.D. DHANUKA, J.
DATE : 15TH JANUARY, 2020.

P.C. :-

1. Heard learned counsel appearing for the parties. The Trial Court by a decree and order had allowed the application filed by the plaintiff for withdrawal of the suit and dismissed the application made by the defendant nos.1 and 2 for transposition as the plaintiff in the suit for administration of estate. The suit is at the advance stage.

2. The civil application is made absolute in terms of prayer clause (b). In view of the relief in terms of prayer clause (b), Civil Suit No.7459 of 1983 to continue before the Trial Court.

3. The civil application is disposed of on aforesaid terms.

There shall be no order as to costs.

4. The parties are directed to appear before the learned Trial Court on 22nd January, 2020 for directions.

5. All parties to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)