

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

WRIT PETITION NO. 11166 OF 2019

Zaki Ahmed s/o Ubaid @ Ubed Khan & Anr.	... Petitioner/ (Org. Defendants)
V/s.	
Badraddin Nazir Ahmed Khan	... Respondent/ (Org. Plaintiff)

Mr. Y. F. Mooman i/b. Manisha Gawade for Petitioners.
Mr. Mr. H. P. Pandey for Respondent.

CORAM : A.S. GADKARI, J.

DATE : 12th February 2020.

PC. :

1] Heard the learned counsel for the respective parties.

After hearing learned counsel for the petitioners at length, when this Court expressed its disinclination to interfere with the impugned order, learned counsel, on instructions seeks leave to withdraw the present petition unconditionally.

Leave granted.

2] The contentions of both the parties are expressly kept open to be raised before the Trial Court at the time of recording of evidence or at the time of final argument in RAE & Suit No. 1241/1865 of 2009.

3] As the Suit is of 2009, learned Judge, seized of RAE & Suit No. 1241/1865 of 2009 is hereby requested to expedite the hearing of the same.

4] Disposed off as withdrawn.

[A.S. GADKARI, J.]