

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

**FIRST APPEAL NO.1542 OF 2019
along with
CIVIL APPLICATION NO.2895 OF 2019**

Rajaram Lakshman Mahajan (since deceased)
through his legal heirs

1a. Narmada Rajaram Mahajan & Ors. .. Appellants/Applicants

Vs.

Suman Sanjay Mahajan & Ors. .. Respondents

Mr.Kishor Ajetrao for the appellants/applicants.

Ms.Rati Sinhasane i/by Mr.U.R. Mankapure for the respondent nos.1 & 2.

CORAM : R.D.DHANUKA, J.

DATE : 9th January 2020

P.C.:

. Learned counsel for the appellants, on instructions, seeks liberty to withdraw this appeal and prays for continuation of an undertaking rendered by the respondent nos.1 and 2 for a period of two weeks during which the appellants would apply for interim relief in the suit already filed by his clients.

2. Learned counsel for the respondent nos.1 and 2 undertakes to continue the undertaking rendered by them before this Court on 30th September 2019 in Civil Application No.2895 of 2019 for a period of two weeks from today. Undertaking is accepted.

3. Appeal is dismissed as withdrawn. In view of dismissal of the first appeal, civil application does not survive and is accordingly disposed of. No order as to costs.

4. The appellants would be at liberty to apply for interim relief in the pending suit. If any such application is filed, the same shall be considered on its own merits.

R.D.DHANUKA, J.