

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

**WRIT PETITION NO. 10121 OF 2019
WITH
INTERIM APPLICATION NO. 01 OF 2019**

Manilal H. Shah	...	Petitioner
V/s.		
Smt. Pramila Dattakumar Deorukhar & Ors.	...	Respondents

Ms.C.S. Savithri for Petitioner.
Mr.Sanjay Jain a/w. Mr.Ankit Lohia and Ms.Mansi Shah i/b. Pravin Mehta & Mithi & Co. for Respondents.

CORAM : A.S. GADKARI, J.

DATE : 21st January 2020.

PC. :

1] Mr.Jain, learned counsel appearing for the respondents, at the outset, raised a preliminary objection and submitted that, against the impugned Order dated 25th June 2019 passed by the Appellate Bench of the Small Causes Court, a substantive revision is maintainable and the present Petition has been erroneously filed by the petitioner.

2] Facing with the said difficulty, the learned counsel appearing for the petitioner, on instructions, seeks leave to withdraw the present Petition with liberty to file a substantive revision, as per the provisions of law.

Leave and liberty granted.

3] Petition is disposed off as withdrawn.

4] In view of disposal of the Petition, Interim Application No.01 of 2019 does not survive and is accordingly disposed off.

5] Till 15th February 2020, the respondents shall not proceed with the execution proceedings initiated by them.

[A.S. GADKARI, J.]