

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10679 OF 2019**

Mukund Ganpat Mhatre & Ors.	...Petitioners
Versus	
Manibai Suresh Bhoir	
Since deceased through legal heirs	
1.1 to 1.4 & Ors.	...Respondents

Mr. Ashutosh R. Gole for the Petitioners

None for the Respondents

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 13th FEBRUARY 2020

P.C. :

1 Learned counsel for the petitioners states that during the pendency of this petition and after the impugned order dated 30th August 2019 was passed by the trial Court, the petitioners have come in possession of a document which will have a bearing on the case i.e. extract of the Register of Birth and Death. Learned counsel for the petitioners, therefore, seeks leave to withdraw the petition with liberty to file a fresh application for bringing the said document on record and for leading evidence with respect to the said document, which came into the petitioners' possession subsequently.

2 Accordingly, the petition is disposed of as withdrawn with liberty as prayed. It is made clear that this petition has not been heard on merits.

3 If a fresh application is filed by the petitioners for bringing on record the new document, the learned Judge to consider the same on its own merits, uninfluenced by the impugned order dated 30th August 2019.

REVATI MOHITE DERE, J.