

Anand

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

**WRIT PETITION NO. 14504 OF 2018**

Ramdas Bhiva Hargude & ors. .Petitioners

Vs.

Baban Shivram Hargude ( since deceased ) through .Respondents  
Lrs. & ors.

Mr. T. D. Deshmukh, Advocate, for the Petitioners  
Mr. G. S. Godbole i/b. Mr. D. S. Patil, Advocate, for the Respondent  
No. 15

**CORAM : REVATI MOHITE DERE, J.**

**DATE : 02.03.2020**

**P. C.**

. After arguing for some time, learned counsel for the Petitioners seeks leave to withdraw the Petition with liberty to file an appropriate Application under O. XXIII, Rules 1 & 3 of the Code of Civil Procedure ( for short 'C. P. C.' ).

2. Accordingly, the Petition is dismissed as withdrawn with liberty as prayed. If an Application is filed by the Petitioners under O. XXIII, Rules 1 & 2 of the C. P. C., the trial Court to consider the same on its own merits uninfluenced by the order dated 27.09.2018 or withdrawal of the aforesaid Petition. All contentions of all parties are kept open. In the facts, the hearing of the suit is expedited. The learned trial Judge to decide the said suit as expeditiously as possible and

**preferably within one year from the date of receipt of this order.**

3. Accordingly, the Petition is disposed of.

**(REVATI MOHITE DERE, J.)**