

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

**CIVIL REVISION APPLICATION NO.118 OF 2021
WITH
INTERIM APPLICATION NO.1928 OF 2021**

Royston Aloysius Rowe	... Applicant
V/s.	
Wilton Henriques	... Respondent

Mr.Sameer M. Tendulkar, Advocate for Applicant.

Mr.Asad Bukhari i/b. Mr.Hiral Bhatia a/w Smt. Aastha Arora for Respondent.

**CORAM : A.S. GADKARI, J.
DATE : 24th August, 2021.**

PC. :

1. In furtherance of preliminary objection raised by the learned counsel for Respondent, Mr. Tendulkar, learned counsel for the Applicant fairly conceded that, the present Civil Revision Application has been erroneously filed and in fact a substantive Petition under Article 227 of the Constitution of India is a proper remedy. He therefore, seeks leave of this Court to withdraw present Civil Revision Application with liberty to file a substantive Petition impugning Order dated 28th July 2021 passed below Exh.12 in Miscellaneous Appeal No.93 of 2021.

Leave and liberty granted.

2. Civil Revision Application is disposed off as withdrawn with aforesaid liberty.

3. In view of withdrawal of present Civil Revision Application, Interim Application No.1928 of 2021 does not survive and is accordingly disposed off.

4. Ad-interim relief granted by Order dated 18th August, 2021 shall remain in force for a period of two weeks from today.

[A.S. GADKARI, J.]

MANOJ R
TANDALE
Digitally signed
by MANOJ R
TANDALE
Date:
2021.08.26
13:56:37 +0530