

K.S. Jadhav

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

WRIT PETITION NO. 2729 OF 2022

Mrs. Hu Mei Yu & Ors.,

...Petitioners

Versus

State of Maharashtra & Ors.,

...Respondents

Ms. Pranati Mehra i/b Halwasia & Co., Advocate for the
Petitioners.

Mr. C.D. Mali, AGP for Respondent No.1/State.

Mr. Jaydeep Deo, Advocate for Respondent No.4.

CORAM : R.I. CHAGLA, J.

DATE : 2nd December, 2022.

ORDER :

1. The learned Counsel appearing for the Petitioners is seeking leave to withdraw the Petition with liberty to file Application under Order 41, Rule 27 of the Code of Civil Procedure, 1908 for bringing material on record, which was not known at the time when decreed suit was dismissed by the Trial Court and which came to the knowledge of the Petitioners only after the Appeal was filed before Appellate Bench.

2. In that view of the matter, the Writ Petition is disposed of as withdrawn with a liberty as prayed.

3. The Appellate Bench of the Small Causes shall consider whether to allow the application for bringing material on record under Order 41 Rule 27 of the Code in considering the Appeal from the dismissal of the R.A.D. Suit No.922 of 2000 and shall pass appropriate orders upon the said application when filed.

[R.I. CHAGLA, J.]