

Dusane

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.4058 OF 2023
IN
CIVIL REVISION APPLICATION NO.282 OF 2021**

Kapil Bacharam Sharma ...Applicants
(Deleted since deceased) through
legal heirs Smt. Sheiladevi Kapil
Sharma & Ors.

In the matter between:

Kapil Bacharam Sharma ...Applicants
(Deleted since deceased) through
legal heirs Smt. Sheiladevi Kapil
Sharma & Ors.

V/s.

Haji Mohamed Rashid Jitekar ...Respondents
(deleted since deceased) through
his legal heirs
Mohamed Ebrahim Jitekar & Ors.

Ms. Mitaali Shah i/by Mr. Vaibhav Mehta &
Associates for Applicants.
None for Respondents.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 24th APRIL 2023**

P.C.:

1. Heard Ms. Shah, learned Counsel appearing for the Applicants/original Revisional Applicants. None appears for the Respondents.

2. By the present Interim Application, the Applicants i.e. original revisional Applicants are seeking withdrawal of Rs.1,00,000/- deposited by the Applicants in this Court pursuant to the order dated 17th October 2022 passed by a learned Single Judge in Interim Application No. 19100 of 2022 in Civil Revision Application No. 282 of 2021.

3. Although the Respondents are not appearing, on the letter dated 30th January 2023, the Solicitors of the Applicants have given no objection for such withdrawal. The said letter is annexed at Exhibit 'B' to the present Interim Application.

4. Ms. Shah, learned Counsel appearing for the Applicants states that for withdrawal of said amount by the Applicant 1(b) i.e. Hemant Kapil Sharma, the other Applicants have no objection.

5. In view of above, the Interim Application is allowed in terms of prayer clause (a).

6. The Interim Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)

BHALCHANDRA
GOPAL
DUSANE

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