

VRJ

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

WRIT PETITION NO.8505 OF 2023

VAIBHAV
RAMESH
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Date: 2023.11.03
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Sheela Ravindra Bhoir & Anr.

... Petitioners

V/s.

Yashoda Sudam Patil & Ors.

... Respondents

Ms. Bhavana Punalekar for the petitioners.

Ms. Neeta P. Karnik for the respondents.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 2, 2023

P.C.:

1. The impugned order arises out of suit for specific performance of an agreement to sell dated 10th September 2005. The judgment of the Trial Court has a force of decree, therefore, against a judgment in an appeal under section 96 of the Civil Procedure Code, 1908, the petitioners have remedy of filing second appeal.

2. Hence, the petitioners are permitted to withdraw writ petition with liberty to file second appeal.

3. The writ petition is disposed of as withdrawn with liberty as prayed for.

(AMIT BORKAR, J.)