

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

MISCELLANEOUS CIVIL APPLICATION NO. 214 OF 2023

Chandrika Bahadur Jassawalla & ors. ... Applicants.

v/s.

Shroff Sons Consultancy Pvt. Ltd. ... Respondent.

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Mr. Diwakar Dwivedi i/b. Mr. Akhilesh Singh, for the Applicants.

Mr. Shirzad R. Shroff, for respondent.

...

CORAM : KAMAL KHATA, J.

DATED : 3RD AUGUST, 2023.

P.C. :

1. After hearing the applicant's Advocate for sometime, he on instructions seeks to withdraw the application unconditionally.

2. At this stage, the learned Counsel for the respondent vehemently argued about the misconduct of the Applicant and sought costs even for the unconditional withdrawal by the Applicant.

3. In my view, since the Applicant's Advocate has volunteered to unconditionally withdraw the application it would be fair to impose a token cost of Rs. 5,000/- on account of the *prima facie* case of misconduct made out by the respondent's counsel. The Applicant shall pay the cost of Rs. 5,000/- to the respondent on or before 10th August, 2023.

4. The application is dismissed as withdrawn.
5. All concerned to act on the authenticated copy of this order.

(KAMAL KHATA, J.)