

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8935 OF 2023

Daljit Singh Tirath Singh Gurudatta & Anr. .. Petitioners

Versus

Registrar Debts Recovery Appellate & Ors. .. Respondents

Mr. Charles D'Souza a/w Kaustubh Kulkarni, Mahesh Karule *for the Petitioner.*

Mr. Prathamesh Kamat a/w Nikhil Rajani i/b. V. Deshpande & Co. *for Defendant No.5.*

Mr. Daljit Singh Tirath Singh Gurudatta, *Petitioner No.1 is present in person*

**CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.**

DATE : JULY 20, 2023

P. C.

1. The above Writ Petition is filed challenging the order dated 26th June, 2023 passed by the Debt Recovery Appellate Tribunal, Mumbai in Interim Application No. 420 of 2023 in Regular Appeal No. 45 of 2023. By the impugned order, interim relief was denied to the Petitioner. The main appeal is still pending.

2. After the Writ Petition was argued for some time, the learned Advocate appearing for Petitioner No.1, and who is present in Court, on instructions, sought leave to withdraw the above Writ Petition.

3. In these circumstances, the above Writ Petition is dismissed as withdrawn. No order as to costs.

4. It is needless to clarify that we have not observed anything on the merits of the matter and the DRAT shall decide Regular Appeal No. 45 of 2023 on its own merits and in accordance with law.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]