

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRA NO. 27 OF 2021

**SHAIKH NAJAM MAHEBOOB ALIAS PASHA AND ANR
VERSUS
SHAIKH BASHIR ISMAIL ALIAS GUNDA**

...
Advocate for the Applicants : Mr. Gaikwad Anil M.

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CORAM : S. G. CHAPALGAONKAR, J.
Dated : November 22, 2024

PER COURT :-

1. Heard Mr. Anil Gaikwad, learned Advocate appearing for the applicants.

2. He would fairly concede that the application tendered at exhibit 32 before the Trial Court was not in consonance with any of the provision of the Civil Procedure Code. The prayer and the grounds in the application are not happily worded. He would, therefore, seek permission to not press the application with liberty to raise the contentions by filing appropriate application by invoking the appropriate provisions under the Code of Civil Procedure.

3. In view of the submissions advanced, the Civil Revision Application stands disposed of as withdrawn with liberty in favour of the applicant to file fresh application for the reasons as mentioned in exhibit 32 by invoking appropriate provisions of law.

4. In case, such application is filed the impugned order dated 11.12.2019 shall not be impediment to the applicant to prosecute his application fresh.

(S. G. CHAPALGAONKAR)
JUDGE

spc-