

*Kavita S. J.*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL EXECUTION APPLICATION NO. 1715 OF 2018**

**Bombay Dock Labour Board & Anr.,                      ...Plaintiffs**

***Versus***

**M/s Dinshaw C.Cooper & Sons & Anr.,                      ...Defendants**

**AND**

**NOTICE NO. 199 OF 2018**

**IN**

**COMMERCIAL EXECUTION APPLICATION NO. 1715 OF 2018**

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Ms. Kajal Gupta i/b M.V. Kini & Co., Advocate for Plaintiff.

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**CORAM    : R.I. CHAGLA, J.**

**DATE        : 4TH JANUARY, 2024.**

**ORDER :**

1.            The learned Advocate appearing for the Plaintiffs has sought leave to withdraw Commercial Execution Application No.1715 of 2018 vide Application for Withdrawal dated 3<sup>rd</sup> January, 2024. It is mentioned in the Application for Withdrawal that despite several attempts made to trace the

present whereabouts of the Defendants, the Defendants have not been traceable and accordingly, the Plaintiffs seek to withdraw the present Commercial Execution Application with liberty to file fresh Execution Application, whenever the whereabouts of the Defendants are known to the Plaintiffs. The Application for Withdrawal dated 3<sup>rd</sup> January, 2024 is taken on record.

2. In view of the reasons mentioned in the Application for Withdrawal of the Execution Application, leave is granted.

3. The Commercial Execution Application is disposed of as withdrawn with liberty as prayed.

4. The Notice No.199 of 2018 does not survive and is accordingly disposed of.

5. The Application for Withdrawal is also disposed of in the above terms.

**[R.I. CHAGLA, J.]**