

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

WRIT PETITION NO.15405 OF 2022

Laxman Bhagwan Navale & Ors. ... Petitioners
Versus
Pandurang Bhanudas Gavhane & Anr. ... Respondents

Mr. Samir Kumbhakoni a/w Ms. Anjali Shaw, Mr. Chaitanya Joshi,
Advocate for the Petitioners.

CORAM : ASHWIN D. BHOBE, J.

DATE : 21st FEBRUARY, 2025

P.C. :

1. Heard Mr. Samir Kumbhakoni for the Petitioners.
2. Challenge in the present Petition is to the order dated 21st June, 2019 passed by the learned Civil Judge Junior Division, Mangalvedha on application at Exhibit 51 in Regular Civil Suit No.4 of 2017.

By the order dated 21st June, 2019, the application at Exhibit 51 seeking appointment of Court Commissioner was rejected.

3. Mr. Kumbhakoni, the learned Advocate appearing on behalf of the Petitioners, on instructions from the Petitioner, seek leave to withdraw the Petition by seeking liberty to file an appropriate application after completion of trial in Regular Civil Suit No.4 of 2017.

4. Leave granted to withdraw the Petition. Petition dismissed as withdrawn.

5. In the event, the Petitioner chooses to file any application, such application shall be dealt by the learned Trial Court on its own merits and in accordance with law, by affording an opportunity of hearing to the Respondents herein. All contentions of the parties are left open.

(ASHWIN D. BHOBE, J.)