

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4887 OF 2023

0

ATUL
GANESH
KULKARNI

Digitally signed by
ATUL GANESH
KULKARNI
Date: 2025.01.21
14:41:53 +0530

Sitaram Haribhau Varpe & Ors.

... Petitioners

V/s.

Ullhas Chandrakant Varpe

... Respondent

Mr. Rushikesh C. Barge for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 21, 2025

P.C.:

1. Learned Advocate for the petitioners, on instructions from the petitioner who is present in Court, seeks liberty to withdraw the writ petition. He states that he be permitted to amend the plaint and thereafter file application for appointment of Court Commissioner.
2. If the petitioners satisfy ingredients of Order 6 Rule 17 of the Code of Civil Procedure, 1908, the Trial Court can consider the application for amendment and shall pass appropriate orders. Thereafter, if the petitioners fulfill ingredients of Order 26 Rule 9 of the CPC, the Trial Court shall decide the application in accordance with law.
3. The writ petition accordingly stands disposed of. No costs.

(AMIT BORKAR, J.)