



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12308 OF 2024**

Kasturben Dhanji Shah (deceased)
through LRs Vijay Dhanji Shah & Ors. ... Petitioners
versus
M/s. Shah Transport and Co. and Ors. ... Respondents

Mr. Manish N. Jain with Ms. Ritu G. Gehlot i/by S.M.Jain Associates, for
Petitioners.

CORAM: N.J.JAMADAR, J.

DATE : 18 JUNE 2025

P.C.

1. Heard the learned Counsel for the Petitioners.
2. Learned Counsel for the Petitioners submits that after the impugned order came to be passed, learned Judge, Court of Small Causes, by an order dated 25 September 2024, on the application preferred by the Defendant No.1 had directed the Plaintiff to produce documents under the provisions of Order XI Rule 14 of the Code of Civil Procedure, 1908. Learned Counsel further submits that, according to his instructions, despite the said order, the Plaintiff has not produced the documents.
3. Learned Counsel for the Petitioners seeks leave to withdraw the Petition with liberty to take out appropriate application in the event the Plaintiff fails to comply with the directions in the said order dated 25 September 2024.
4. Leave granted with liberty as prayed for.

5. In the event, the Plaintiff fails to comply with the directions in the order dated 25 September 2024, the Petitioners shall be at liberty to take out appropriate application before the Trial Court.

(N.J.JAMADAR, J.)