

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2728 OF 2025
IN
CIVIL REVISION APPLICATION (ST.) NO.2743 OF 2025

VISHAL
SUBHASH
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Dr. Priyanka Dhiraj Mahangade and Anr. ...Applicants
VS.
M/s. New Polycare Hospital and Anr. ...Respondents
Mr. Saurabh Butala, for the Applicants.

CORAM : N. J. JAMADAR, J.
DATE : FEBRUARY 26, 2025

P.C:

1. Heard the learned counsel for the applicants.
2. This application is preferred seeking condonation of delay in filing revision against an order passed by the learned Civil Judge, Thane on 26th April, 2022 whereby an application preferred by the applicants for rejection of the plaint in view of the bar contained in section 69 of the Indian Partnership Act, 1932 came to be rejected.
3. The learned counsel for the applicants, on instruction, seeks leave to withdraw the application and the revision application with liberty to raise all the contentions in the suit.
4. Leave granted.
5. All contentions raised in the application for the rejection of the plaint are kept open for adjudication at the final disposal of the suit.
6. The learned Civil Judge shall not be influenced by the observations in the impugned order.

(N. J. JAMADAR, J.)