



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.7429 OF 2023

[Rajan Samuel Gaikwad ..vs.. Tarunjitsingh Amarsingh Bhalla and Ors.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mrs S. Paunikar, Advocate for Petitioner.
Mr G. K. Bhusari, Advocate for Respondent Nos.1 to 6.

CORAM : ANIL L. PANSARE, J.

DATE : 16th JANUARY, 2025.

1. On 13.01.2025, following order was passed :

*“The learned counsel for respondent submits that
the petition is not maintainable.*

*2. The order impugned is passed under Order VII
Rule 11 (d) of the Code of Civil Procedure, 1973, which
amounts to decree and thus, the petitioner ought to
have filed appeal under Section 96 of the Code of Civil
Procedure, 1908.*

*3. The learned counsel for petitioner seeks time to
have research on the point.*

*4. Stand over to **16.01.2025.**”*

2. The counsel for petitioner agreed with the above position of law and accordingly seeks permission to withdraw the petition with liberty to avail appropriate remedy as is available in law.

3. Permission granted. The petition is disposed of as withdrawn.

JUDGE