

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

**WRIT PETITION NO.4543 OF 2017**

ShyamBihari Harnarayan Sharma & Anr. .... Petitioners  
Vs.  
Vithaldas Tukaram Agarwal & Ors. .... Respondents

None for the Petitioners

Mr. Gaurav Parkar i/by Mr. Rajiv Hingu for Respondent Nos.1A to 4D.

**Coram : Smt. Sadhana S. Jadhav, J.**

**Date : 9<sup>th</sup> October, 2017**

P.C.:

1 None present for the Petitioners.

2 Issue notice to respondent Nos. 1E to 1F returnable on 13<sup>th</sup> December, 2017.

3 Learned counsel for the Petitioners shall furnish spare copies on or before 1<sup>st</sup> November, 2017. Upon failure, the petition shall stand dismissed for want of prosecution without further reference to the Court. It is made clear that the pendency of this petition shall not be construed as a stay to further proceedings in New Suit No. 9602 of 1993 pending before the City Civil Court, Mumbai.

3 Office to communicate this order to the concerned court  
forthwith.

**( Smt. Sadhana S. Jadhav, J.)**