

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

WRIT PETITION NO. 5715 OF 2012
WITH
CIVIL APPLICATION NO. 9226 OF 2015

Dattatraya Ramkrishna Wakade		Petitioner
VS		
Raosaheb Patwardhan Nagari		
Sahakari Pathsanstha Ltd. & ors.		Respondents

Mr. Milind M. Joshi Advocate for petitioner
Mr. R.R. Karpe, Advocate for respondents no. 1 and 2

CORAM : SUNIL P. DESHMUKH, J.
28TH AUGUST, 2015

ORDER:

1. Learned counsel for parties point out that petitioner herein was the guarantor and that original borrower has paid entire dues to the respondent-financier.
2. Learned counsel for respondents no. 1 and 2 Mr. Karpe accepts the position that all the dues of the bank have been cleared by the borrower and it is not necessary to proceed against the guarantor.
3. Hence, learned counsel for petitioner seeks leave to withdraw writ petition and the amount which was deposited by way of condition for notice.

4. In view of the facts aforesaid which are not in dispute, the amount deposited is allowed to be withdrawn by the petitioner.
5. Civil application accordingly stands granted in terms of prayer clause (B) and disposed of.
6. Under the circumstances, leave to withdraw writ petition as sought is also granted. Writ petition stands disposed of as withdrawn.

SUNIL P. DESHMUKH, J.

pnd