

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

WRIT PETITION NO. 5392 OF 2015

1. Prabhakar Sambhaji Ubale
and Anr.

Petitioners

Vs

1. Dilip Sarjerao Ubale and Anr.

.. Respondents

Mr. Surel S.Shah , Advocate for Petitioners.

Mr. Anand S. Kulkarni, Advocate for Respondents.

CORAM : R.G.KETKAR,J.

DATE : 24/06/2015

PC:

1. Heard Mr. Surel Shah, learned counsel for the petitioners and Mr. Anand Kulkarni, learned counsel for the respondents.

2. By this Petition under Article 227 of the Constitution of India, the petitioners-original defendants no.1 and 2 have challenged the Judgment and order dated 30.1.2015 passed by the learned Adhoc District Judge-2, Solapur below Exhibit-5 in Civil Appeal No.313 of 2014. By that order, the learned District Judge rejected the application taken out by the petitioners for staying the Judgment and decree dated 10.12.2014 passed by the learned Jt. Civil Judge Jr. Dn. Madha in Regular Civil Suit No.89 of 2008.

3. Mr. Shah has tendered photocopy of Fax dated 24.6.2015 sent by the petitioners instructing him to withdraw this Petition. Photocopy of that Fax is taken on record and marked "X" for

identification. In view of the fax, Mr. Shah seeks permission to withdraw this Petition.

4. On the motion made by Mr. Shah, Petition is allowed to be withdrawn and is dismissed as withdrawn. Order accordingly.

(R.G.KETKAR, J.)