

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5744 OF 2015

Dilip Shankar Mulay ... Petitioner
Vs.
Pradip Shankar Mulay and others ... Respondents

Mr. Bhavesh Magan i/b. Mr. Sandesh Deshpande for Respondents.

CORAM : R. G. KETKAR, J.
DATE : 26TH JUNE, 2015

P.C. :

Not on Board. At the request of Mr. Dilip Shankar Mulay, petitioner in person, taken up in the production Board.

2. Heard Mr. Mulay, petitioner in person and Mr. Magan, learned Counsel for respondents.

3. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the judgment and order dated 17.08.2013 below exhibit 599 in Regular Civil Suit No.1407 of 2012 passed by the learned Civil Judge Senior Division, Thane. By that order, the learned trial Judge rejected the application filed by the petitioner.

4. Mr. Mulay states that he will not press this Petition if it is clarified that while deciding the Suit, the learned trial Judge also disposes of exhibit-311.

5. In view thereof, on the motion made by Mr. Mulay, Petition is allowed to be withdrawn and is disposed of as withdrawn. The learned trial Judge while deciding the main Suit will also decide application at exhibit-311.

(R. G. KETKAR, J.)