

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

WRIT PETITION NO.3406 OF 2012

Tulshidas Marutirao Gole : Petitioner.
Versus
The Central Park Co-operative
Housing Society Ltd : Respondent.

Mr. D V Mirajkar for the Petitioner.
Mr. C G Kulkarni, Secretary of the Respondent No.1-Society present.

CORAM : R. M. SAVANT, J.
DATE : 06th May 2015

P.C.

1 The affidavit-cum-undertaking dated 6th May 2015 has been filed by Shri Shrikrishna Gajanan Kulkarni, the Secretary of the Respondent No.1 Society, paragraph 4 of the said affidavit is material and reads thus :-

“I say that the Respondent Society hereby undertakes to withdraw the said Dispute No.CC/T/107/2010 against the Petitioner which is pending before the Hon'ble Co-operative Court of Thane at Thane as soon as possible”

Reading of paragraph 4 therefore discloses that the Respondent Society undertakes to withdraw the Dispute in question out of which proceeding the order impugned in the present Petition has arisen. The said affidavit-cum-undertaking is taken on record and the undertaking mentioned therein is accepted. In view of the said affidavit-cum-undertaking the learned counsel appearing for the Petitioner Shri Mirajkar seeks withdrawal of the above

Petition. The above Petition is accordingly allowed to be withdrawn and dismissed as such.

[R.M.SAVANT, J]