

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.214 OF 2015

TCI Telenet Solutions Private Limited ... Petitioner
Vs.
Millennium Motors Private Limited and Anr. ... Respondents

Mr. Ajay Panickar a/w. Ms Amreen Mansuri i/b. Ajay Law Asso. for
Petitioner.

CORAM : R. G. KETKAR, J.
DATE : 22ND JUNE, 2015

P.C. :

Heard Mr. Panickar, learned Counsel for petitioner at length.

2. By this Petition under Section 115 of the Code of Civil Procedure, 1908 (for short 'C.P.C.'), original defendant has challenged the judgment and order dated 04.03.2015 passed by the learned 4th Additional Judge, Small Causes and Joint Civil Judge Senior Division, Pune below exhibit 89 in Special Civil Suit No.1208 of 2006. By that order, the learned trial Judge rejected the application made by the petitioner under Order XXXIX, Rule 11 C.P.C. for dismissal of the Suit on the ground of defiance of the order.

3. Mr. Panickar states that the petitioner has already filed Contempt Petition No.314 of 2014 alleging breach of order dated 28.02.2013 passed by this Court in Writ Petition No.7961 of 2010. Mr. Panickar, upon instructions of Mr. Virendra Gupta, Legal Manager of Petitioner, who is present in the Court, states that he will agitate the grievance raised in this Petition in that Contempt Petition. He, therefore, seeks permission to withdraw this Petition with liberty as aforesaid.

4. In view thereof, on the motion made by Mr. Panickar, Petition is allowed to be withdrawn with liberty as prayed for.

(R. G. KETKAR, J.)