

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10172 OF 2014**

Ramakant Chandorkar

..Petitioner

Vs.

M/s. Nyakhej Everest Estate Pvt Ltd. & Ors.

..Respondents

Mr. S. S. Kanetkar for the Petitioner

Mr. Vivek Bilwalkar for the Respondents

CORAM : R. M. SAVANT, J.

DATE : 11th DECEMBER, 2015

P.C.

1 The Learned Counsel appearing for the Petitioner seeks withdrawal of the application Exhibit 13 filed in Civil Appeal No.156 of 2013 with liberty to file appropriate application setting out the ground for leading additional evidence under Order XLI Rule 27. In view of the said statement, the said application Exhibit 13 is allowed to be withdrawn. In view of the withdrawal of the said application Exhibit 13, the impugned order need not be considered on merits and to accordingly stand set aside. If any such fresh application is filed, needless to state that the same would be considered on its own merits and in accordance with law. The Petitioner to pay costs of Rs.2000/- to the Respondents within four week from date. The Writ Petition is accordingly disposed of.

[R.M.SAVANT, J]