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IN THE HIGH COURT OF JUDICATURE AT MUMBAI  
CIVIL APPELLATE JURISDICTION  
**WRIT PETITION NO. 12399 OF 2015**

Ganesh Dattatray Lad .. Petitioner

Vs.

Ashwini Ganesh Lad .. Respondent

Mr.Harshad Inamdar, Advocate for the Petitioner.

**CORAM : R.G.KETKAR, J.**  
**DATED : 22<sup>nd</sup> DECEMBER, 2015**

**P.C. :**

. Not on board. At the request of Mr.Inamdar, taken up in the Production Board for admission.

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the order dated 29/04/2014 passed by the learned District Judge. By that order, the learned District Judge allowed the application made by the respondent for amending the written statement.

3. Mr.Inamdar submitted that respondent filed application at Exhibit 39 for amending the written statement inter alia contending that after passing of the decree of divorce by the trial Court on 17/04/2008, she had preferred Appeal on 30/04/2008 and on the same day i.e. on 30/04/2008, the learned District Judge passed order below Exhibit 5 staying operation of the trial Court's

Decree. The respondent further asserted that she has instituted private complaint No. 616 /2009 under Section 494 Indian Penal Code, 1860 in the Court of First Class Magistrate, Thane against the present petitioner. Mr.Inamdar submitted that the learned Magistrate has convicted the petitioner. Against the order of the conviction, he has preferred Appeal and the learned Sessions Judge has granted stay.

4. Upon taking instructions from the instructing Advocate, Mr.Inamdar seeks permission to withdraw this Petition. He states that the petitioner will produce papers and proceedings of the Sessions Court arising from the private complaint filed by the respondent.

5. On the motion made by Mr.Inamdar, Petition is allowed to be withdrawn. Order accordingly.

**(R.G.KETKAR, J.)**