

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 661 OF 2015
WITH
NOTICE OF MOTION NO. 1320 OF 2015**

Rajesh Vyas Alias Rajesh Sharma	...Plaintiff
<i>Versus</i>	
Ajay Vyas Alias Ajay Sharma	...Defendant

Mr. H.S. Kane, *with Ms. Aditi Kulkarni, i/b W.S. Kane & Co., for the Plaintiff.*
Mr. Z. A. Jariwala, *i/b M/s. Thakore Jarimala & Associates, for the Defendant.*

CORAM: G.S. PATEL, J
DATED: 21st August 2015

PC:-

1. Mr. Kane for the Plaintiff, on instructions from the Plaintiff, Mr. Rajesh Vyas, who is personally present in Court, seeks leave to withdraw the Suit. He also tenders a copy of the letter dated 19th August 2015 addressed to M/s. W.S. Kane & Co. by the Plaintiff with instructions to this effect. The Plaintiff specifically waives privilege. The letter is taken on file and marked "X" for identification.

2. Mr. Kane submits that the Suit is being withdrawn with a view to achieve an amicable settlement in a family dispute, the Defendant being his brother. While I am not specifically reserving any liberty to the Plaintiff, it is sufficient to clarify that it is always open for the Plaintiff to take such proceedings as may be permissible in law should those attempts at reconciliation not succeed. Consequently all contentions of the Defendant, represented by Mr. Jariwala, are expressly kept open.

3. The Suit is disposed of in these terms with no order as to costs. Refund of court fee, if any, in accordance with the Rules.

4. In view of disposal of the Suit, nothing survives in the Notice of Motion and the same is disposed of accordingly.

(G. S. PATEL, J.)