

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 41 OF 2015

Dr. Birendra Saraf ... Plaintiff

Versus

Mr.Santosh Pathak and Ors. ... Defendants

Ms. Pooja Kshirsagar i/b. ALMT Legal for the Plaintiff.
None for the Defendants.

CORAM : S.J. KATHAWALLA, J.
DATED : 17TH JUNE, 2015

P.C.

1. Mentioned. Not on board. Taken on board.
2. The Plaintiff has addressed a praecipe dated 17th June, 2015 to the Prothonotary and Senior Master of this Court, which reads thus :

“ The present Suit was filed by the Plaintiff inter-alia to restrain the Defendants from defaming the Plaintiff.

This Hon'ble Court had by an order dated 17th October, 2014 granted ad-interim reliefs in favour of the Plaintiff. Subsequently, in a separate suit being Civil Suit No. 641 of 2012, to which Defendant Nos. 1 and 2 were party, consent terms were filed on 7th May, 2015 wherein Defendant Nos. 1 and 2 have withdrawn all allegations, complaints and / or make, post and / or publish etc. any allegation, articles, publications and / or cause any person to make, post and / or publish any allegation, articles, publications, in any manner whatsoever against the Plaintiff, including not making any

allegations, articles, publication etc. on the website of Defendant No. 4.

In view of the aforesaid, the Plaintiff does not seek to prosecute the present Suit further.

Be pleased to produce the papers and proceedings in the above mentioned matter on 17th June, 2015 i.e. at 3 pm before His Lordship The Hon'ble Mr. Justice S.J. Kathawalla to enable the Plaintiff to withdraw the Suit”.

2. In view thereof, the papers and proceedings in the above matter are produced before this Court. For the reasons set out in the praecipe, the Suit is disposed of as withdrawn. Refund of Court fees, if any as per Rules.

(S.J. KATHAWALLA, J.)