

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3124 OF 2014.

(SAU.KALPANA MOHANLAL PAHALAJANI & ANR..VS..PURANLAL REVACHAND HABLANI & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : OCTOBER 13, 2015.

Heard Shri A.C. Dharmadhikari, learned advocate for the petitioners and Shri S.S. Alaspurkar, learned advocate for the respondent No.1.

The petitioners have filed the petition challenging the order passed by the trial Court insofar as the claim of the petitioner to incorporate paragraph Nos. 4(D), 4(E) and 4(F) of the amendment application in the plaint, came to be rejected.

In response to the notice issued by this Court, the respondent No.1 has put in appearance and has filed reply stating that in view of the subsequent events the proposed amendment which came to be rejected by the trial Court is rendered infructuous.

In view of the reply given by the respondent No.1, Shri Dharmadhikari, learned advocate for the petitioners, on instructions, seeks permission to withdraw the petition with liberty to file appropriate application before the trial Court.

Shri Alaspurkar, learned advocate for the respondent No.1 opposed the prayer made on behalf of the petitioner for grant of liberty.

However, considering the facts of the case, in my view, the liberty as prayed for can be granted.

The petition is **disposed** as withdrawn with liberty as prayed for.

JUDGE

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