

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 439 OF 2016

MT. JEEVANKALA CHARLES LOURENT
ALIAS SMT. BABY PARAB.

... Petitioner

Versus

SHRI. OCTAVIANO PIRES.

... Respondent

Mr. Abhijit Gosavi and Mr. Amay Arjun Phadte, Advocates for the petitioner.

Ms. A. Agni, Senior Advocate with Ms. A. Kamat, Advocate for the respondent.

Coram:- C. V. BHADANG, J.

Date:- 18th May, 2016

P.C.

Heard the learned Counsel for the petitioner and the learned Senior Counsel for the respondent, for some time.

2. In view of the fact that subsequent to passing of the order, which is impugned in this Writ Petition, the learned Trial Court has decided the Rent Application No.52/2013/F by judgment and order dated 30/04/2016, the learned Counsel for the petitioner, on instructions, seeks permission to withdraw the Writ Petition, with liberty to challenge the said judgment and order in appeal before appropriate Court.

3. In such circumstances, the Writ Petition is disposed of as

withdrawn, with liberty as prayed.

4. It is needless to mention that the petitioner would be entitled to raise all the contentions on merits as may be available to him in law, including the challenge to the refusal by the learned Trial Court to recall DW1. Rival contentions on merits are kept open.

5. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

SMA