

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1444 OF 2016

Gabalu Narayan Tikone ... Petitioner
Vs.
Laxman Anna Tikone and others ... Respondents

WITH
WRIT PETITION NO.1445 OF 2016

Gabalu Narayan Tikone ... Petitioner
Vs.
Bharat Sadashiv Tikone and others ... Respondents

WITH
WRIT PETITION NO.1446 OF 2016

Gabalu Narayan Tikone ... Petitioner
Vs.
Dhondur Arjun Tikone and others ... Respondents

Mr. Vilas B. Tapkir for Petitioner in all Petitions.

CORAM : R. G. KETKAR, J.
DATE : MARCH 14, 2016

P.C. :

Heard Mr. Tapkir, learned Counsel for petitioner in all the Petitions at length.

2. By these Petitions under Article 227 of the Constitution of India, petitioner has challenged the orders dated 19.11.2015 passed by the learned Joint Civil Judge, Junior Division, Vadgaon, Maval by which the applications made by the petitioner, hereinafter referred to as defendant No.1, for setting aside 'No W.S. order' were rejected.

3. After arguing the Petitions for quite some time, Mr. Tapkir seeks permission to withdraw these Petitions with liberty to file fresh

applications giving all the details as also causes for not filing written statement in time. He submits that if such applications are filed, the learned trial Judge may be directed to dispose of the said applications in accordance with law and uninfluenced by the observations made in the impugned orders.

4. In view thereof, on the motion made by Mr. Tapkir, Petitions are allowed to be withdrawn with liberty as prayed for. All the contentions of the respondents-plaintiffs are kept open. If such applications are made, the learned trial Judge will decide the same in accordance with law and uninfluenced by the observations made in the impugned orders. Order accordingly.

(R. G. KETKAR, J.)

Minal Parab