

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1421 OF 2016

Pravin alias Vilas Namdeo Kamble ... Petitioner
Vs.
Ayyaz Aminuddin Attar ... Respondent

Mr. Vaibhav R. Gaikwad for Petitioner.

CORAM : R. G. KETKAR, J.
DATE : FEBRUARY 09, 2016

P.C. :

Heard Mr. Gaikwad, learned Counsel for petitioner at length.

2. By this Petition, under Article 227 of the Constitution of India, petitioner, hereinafter referred to as defendant, has challenged the judgment and order dated 14.01.2016 passed by the learned 6th Joint Civil Judge, Junior Division, Satara below exhibit-134 in Regular Civil Suit No.624 of 2014. By that order, the learned trial Judge rejected the application exhibit-134 made by the defendant under Section 153-A of the Code of Civil Procedure, 1908 for stay of proceedings of application exhibit-75 for amending the order passed below exhibit-5 for temporary injunction.

3. After arguing the Petition for quite some time, Mr. Gaikwad, upon taking instructions from the petitioner-defendant, seeks permission to withdraw this Petition on the ground that in case application exhibit-75 is decided against the defendant, liberty may be reserved to challenge that order.

4. On the motion made by Mr. Gaikwad, Petition is allowed to be withdrawn with liberty as prayed for. All contentions of the respondent-plaintiff are kept open. Order accordingly.

(R. G. KETKAR, J.)