

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10008 OF 2016

Ashalata Manikchand Katariya ... Petitioner
Vs.
Shrikrishna Jagnanath Muthe ... Respondent

Mr. Satyajeet H. Joshi for Petitioner.

CORAM : R. G. KETKAR, J.
DATE : SEPTEMBER 19, 2016

P.C. :

Heard Mr. Joshi, learned Counsel for the petitioner at length.

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the judgment and decree dated 05.08.2014 passed by the learned Judge of the Small Causes Court, Pune below exhibit-28 in Civil Suit No.533 of 2009 as also the judgment and decree dated 22.03.2016 passed by the learned 5th Ad-hoc District Judge, Pune in Civil Appeal No.591 of 2014. By these orders, the Courts below allowed the application made by the respondent under Section 144 of the Code of Civil Procedure, 1908 for restitution of the suit property.

3. Mr. Joshi made elaborate submissions. He states that Mr. Suhas Kataria, son of the petitioner is present in the Court. He has tendered photocopy of the PAN Card of Mr. Suhas Kataria, which is taken on record and marked 'X' for identification. Mr. Joshi, upon taking instructions from the son of the petitioner, seeks permission to withdraw this Petition.

4. On the motion made by Mr. Joshi, Petition is allowed to be withdrawn and is dismissed as withdrawn. Order accordingly.

(R. G. KETKAR, J.)