

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3261 OF 2016

Jamil Ahmed Adhikari ... Petitioner
Vs.
East India Hotel Limited and others ... Respondents

Mr. S. Malik a/w. Ms Nishtha Malik for Petitioner.
Mr. Manek Kalyaniwalla i/b. M/s. Mulla & Mulla & Craigie Blunt & Caroe
for Respondents.

CORAM : R. G. KETKAR, J.
DATE : MARCH 23, 2016

P.C. :

Heard Mr. Malik, learned Counsel for petitioner and
Mr. Kalyaniwalla, learned Counsel for respondents at length.

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the judgment and order dated 08.01.2016 passed by the learned Judge presiding over Court Room No.13 of the Bombay City Civil Court at Bombay below exhibit-1 in Suit No.9156 of 1994. By that order, the learned trial Judge rejected the request made by the petitioner-plaintiff to mark photocopies as exhibits.

3. After arguing the Petition for quite some time, Mr. Malik seeks permission to withdraw this Petition with liberty to take appropriate steps including calling upon the respondents-defendants to produce the original documents and / or filing application for leading secondary evidence.

4. On the motion made by Mr. Malik, Petition is allowed to be withdrawn with liberty as prayed for. Grant of liberty shall not be construed as an expression of merits either way. All the contentions of the parties are expressly kept open. Order accordingly.

(R. G. KETKAR, J.)