

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4759 OF 2016**

Deonath Mishra s/o Ramkishor
Mishra

..Petitioner.

Vs

State of Maharashtra and Ors

.. Respondents

Mr. Omprakash Pandey, Advocate for Petitioner.
Mr.A.R. Metkari, Advocate for Respondents.

**CORAM : R.G.KETKAR,J.
DATE : 31/08/2016**

PC:

1. Heard Mr. Omprakash Pandey, learned counsel for the petitioner and Mr.A.R.Metkari, learned counsel for the respondents.
2. Mr. Pandey states that the petitioner has already instituted R.A.D.Suit No. 699 of 2012 in the Small Causes Court at Bandra. He seeks permission to withdraw this Petition with liberty to agitate points raised as also reliefs sought in this petition, in the Suit filed by the petitioner. He states that he will take out appropriate application in the pending suit for interim reliefs. He submits that in case such application is taken out, the learned trial Judge may be directed to dispose of the application expeditiously.
3. In view thereof, on the motion made by Mr. Pandey, leave

as prayed for is granted. The petitioner is permitted to agitate the contentions raised in this petition as also is permitted to seek reliefs sought in this petition in R.A.D. Suit No. 699 of 2012. If the petitioner files application for interim reliefs, the learned trial Judge is requested to dispose of the application within eight weeks from completion of service on the defendants. Petition is allowed to be withdrawn with liberty as prayed for. Order accordingly.

(R.G.KETKAR, J.)