

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (STAMP) NO.11888 OF 2016

Shri Ravindra Bhikhalal Busa

... Petitioner

V/s.

Sushilaben Hiralal Joshi

... Respondent

Mr. Lal Andhyarajina a/w Mr. Ranvir Singh, Mr. Hiren G. Shah i/b
Prakash & Co. for the applicant
Mr. Jaydeep Deo for the respondent.

CORAM: K.K. TATED, J.
DATED : 22nd APRIL, 2016

P.C. :

. Heard learned counsel for the parties.

2. Mr. Deo submits that he has instructions to appear on behalf of the respondent. He intends to file vakalatnama within two weeks from today. The statement is accepted.

3. By this petition under Article 227 of the Constitution of India, the petitioner/landlord is challenging the order dated 7/3/2016 passed by the Bench of Small Causes Court below Exh.25 in Appeal No.53/2013 rejecting the plaintiff's application for appointment of Court Commissioner.

4. After hearing both the sides for some time, the

advocate appearing on behalf of the respondent makes a statement that the respondent/defendant No.1 has no objection if the plaintiff takes inspection of the suit premises along with the Architect today at 5.00 p.m. He further submits that the ad-interim protection granted by the Appellate Court be continued till 26/4/2016. Statement is accepted.

5. In view of the statement made by the advocate for the respondent, learned counsel on behalf of the petitioner is allowed to withdraw the application. The application stands dismissed as withdrawn with liberty to take inspection of the premises as stated above.

(K.K. TATED, J.)