

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.465 OF 2015

MANOJ JALAMCHAND OSWAL

...Applicant

Versus

NIL

...Respondent

....
Mr. Kiran Kulkarni a/w. Ms. Padmashri i/b. Kulkarni &
Associates, for the Applicant.

....

CORAM : R. G. KETKAR, J.

DATE : 25th JANUARY, 2016

P.C.

1. Heard Mr.Kulkarni, learned Counsel for the applicant,
at length.

2. By this application under Section 115 of Civil
Procedure Code, the applicant has challenged order dated
6.5.2015 below Exh.14 in Civil Misc. Application No.125 of 2015.
By that order, learned trial Judge rejected application below
Exh.14 made by the applicant herein for taking the matter on
board and deciding the same in May Vacation.

3. Mr. Kulkarni submitted that the applicant has filed

application under Section 52/53 of the Mental Health Act, 1987. On 9.6.2015 learned trial Judge issued public notice of one month in two daily newspapers in English and another in vernacular language inviting objections to the appointment of Justice J.A. Patil (Retired) as guardian and manager in respect of the properties of Ms.Claude Lila Parulekar. Expenses for publication were to be borne by the applicant herein.

4. Mr. Kulkarni seeks permission to withdraw this application with liberty to challenge order dated 9.6.2015 on the ground that learned Judge could not have invited objections from the public at large.

5. On the motion made by Mr. Kulkarni, application is allowed to be withdrawn with liberty as prayed. It is made clear that I have not examined the merits of the proposed proceedings. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)