

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8218 OF 2015

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Farhan Dubhash with Mr.Dev Upadhyay for the petitioner

Mr.Vishal Talsania with Ms.Sneha Pandey i/b M/s.Motiwala and Co. for the respondent nos.1 and 2

Mr.S.PBharti for the respondent nos.3

CORAM : K. K. TATED, J.
DATE : SEPTEMBER 30, 2016

P.C.:

- 1 Heard the learned counsel for the parties.
- 2 By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 7.8.2015 passed by Estate Officer of Mumbai Port Trust in Case No.EO/E(151) of 2013.
- 3 The main contention of the petitioner is that though the respondent no.3 failed to file their written statement, Estate Officer directed petitioner to go on with the cross examination of applicant respondent no.2.
- 4 The learned counsel for the respondent no.3

makes a statement that they already filed their written statement on 28.9.2015 and served copy on the other side.

5 The learned counsel for the petitioner submits that in view of subsequent development, they will prefer appropriate application before the Estate Officer for framing additional issues and/or for other reliefs. He submits that in view of subsequent development, they may be permitted to withdraw the present Writ Petition with liberty to make appropriate proceeding before the Estate Officer. To that effect, he has given in writing on Farad. Same is taken on record and marked 'X' for identification.

6 Same is allowed.

7 Writ Petition stands disposed of as withdrawn with liberty as prayed.

JUDGE