

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13000 OF 2016

(Pushpavati Madhukar Gavali through her POA Madhukar K. Gavali Vs. Shirish Namdeo Mohite and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders, or directions, and Registrar's Orders

Court's or Judge's orders

Mr. Harshad M. Inamdar for Petitioner.
Mr. Sachin Gite for Respondents No.1 to 5.

CORAM : R. G. KETKAR, J.

DATE : 15TH DECEMBER, 2016

P.C.:

Heard Mr. Inamdar, learned Counsel for petitioner and Mr. Gite, learned Counsel for respondents No.1 to 5 at length.

2. By this Petition under Article 227 of the Constitution of India, petitioner, hereinafter referred to as 'plaintiff', has challenged the judgment and order dated 12.08.2016 passed by the learned District Judge-3, Niphad in Civil Miscellaneous Appeal No.81 of 2014. By that order, the learned District Judge allowed the appeal preferred by defendants No.1 to 5 and quashed and set aside the judgment and order dated 21.08.2014 passed by the learned Civil Judge, Junior Division, Chandwad in Regular Civil Suit No.163 of 2013. The learned District Judge dismissed the application exhibit-5 taken out by the

plaintiff for injunction restraining the defendants from disturbing the possession of the plaintiff.

3. After arguing the Petition for quite some time, Mr. Inamdar, upon taking instructions from Mr. Madhukar Karbhari Gavli, Power of Attorney Holder of the petitioner, who is present in the Court, seeks permission to withdraw this Petition. He has tendered photocopy of senior citizen card issued by the Government of Maharashtra, which is taken on record and marked 'X' for identification.

4. On the motion made by Mr. Inamdar, Petition is allowed to be withdrawn and is dismissed as withdrawn. All contentions of the parties on merits are expressly kept open. Order accordingly.

(R. G. KETKAR, J.)

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