

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9577 OF 2015**

Mr. Rajesh Damji Shah @
Chaddva

..Petitioner

Vs

1. Mangal Prabhat Lodha and
Ors

.. Respondents

Mr. Darshit Jain a/w Ms Shweta Jain i/b Vijay Upadhyay, Advocates
for Petitioner.

Ms.Shivali M. Khadke i/b Amit Kanari, Advocate for Respondents.

CORAM : R.G.KETKAR,J.

DATE : 12/01/2016

PC:

1. Heard Mr. Darshit Jain, learned counsel for the petitioner and Ms.Shivali Khadke, learned counsel for the respondents at length. Ms. Khadke assures that within two weeks from today, she will file appearance.

2. By this Petition under Article 227 of the Constitution of India, original defendant has challenged the Judgment and order dated 26.8.2015 passed by the learned Judge presiding over Court Room No.15 of the Small Causes Court, Mumbai below Exh.47 in R.A.E. Suit No.1674 of 2012. By that order, the learned trial Judge rejected the application taken out by defendant no.1 under Order XIV, Rule 5 of CPC for framing additional issues.

3. After arguing the petition for quite sometime, Mr. Jain

seeks permission to withdraw this Petition. Ms. Khadke has no objection.

4. On the motion made by Mr.Jain, Petition is allowed to be withdrawn and is dismissed as withdrawn. Order accordingly.

(R.G.KETKAR, J.)