

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 12163 OF 2015

Shadab Shabbir Patel

...Petitioner

Versus

Oscar Builders Pvt. Ltd. and Anr.

...Respondents

....

Mr.Khan Javed Akhtar, Advocate for the Petitioner.

Mr. P.K. Dhakephalkar, Senior Advocate i/b. Little & Co. for
Respondent No.1.

....

CORAM : R. G. KETKAR, J.

DATE : 14th July, 2016

P.C.

1. Heard Mr. Khan Javed Akhtar, learned Counsel for the petitioner and Mr. P.K. Dhakephalkar, learned Senior Counsel for respondent No.1, at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioner, hereinafter referred to as the 'plaintiff', has challenged the judgment and order dated 30.10.2015 passed by the learned Judge, presiding over Court Room No.22 of the Court of Small Causes at Bombay below Exhibit-19 in L.A.E. Suit No.61/2015. By that order, the learned trial Judge rejected

the application made by the plaintiff seeking direction against respondent No.1/defendant No.1 to give urgent inspection and photocopies of documents referred to and relied upon by defendant No.1 in the affidavit in reply dated 26.5.2015.

3. After arguing the Petition for quite some time, Mr.Khan seeks permission to withdraw the Petition with liberty to file Review Petition seeking review of the impugned order on the ground of subsequent developments pending the application.

4. On the motion made by Mr. Khan, the Petition is allowed to be withdrawn with liberty as prayed for. Grant of liberty shall not be construed as any expression on merits either way. All contentions of the parties are kept open. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)