

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13505 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Ms. Manjiri S. Parasnis, Advocate for Petitioner.

CORAM : R. G. KETKAR, J.

DATE : 16/12/2016

P.C.:

1. Heard Ms.Manjiri S. Parasnis, learned Counsel for the petitioner, at length.
2. By this Petition under Article 227 of the Constitution of India, the petitioner, hereinafter referred to as 'defendant No.8', has challenged the judgment and order dated 6.10.2015 passed by the learned Civil Judge, Junior Division, Kavthemahakal below Exhibit-5 in R.C.S. No.132/2014 as also the judgment and order dated 15.11.2016 passed by the learned District Judge-4, Sangli in Misc. Civil Appeal No.164/2015. By these orders, the Courts below allowed the application Exhibit-5 filed by the plaintiff and issued injunction restraining defendant No.8 from causing obstruction to the plaintiff's possession over Gat No.778

admeasuring 2 H 60 Rs with Potkharaba 0.003 R. situate at village Irali Gram Panchayat, Taluka Kavathe Mahakal, District Sangli (for short, 'suit property').

3. After arguing the petition for quite some time, Ms. Parasnis upon taking instructions from the petitioner, seeks permission to withdraw the Petition with liberty to file application under Order XXXIX Rule 4 of C.P.C.

4. In view thereof, on the motion made by Ms.Parasnis, Petition is allowed to be withdrawn with liberty as prayed for. All contentions of the parties in the proposed proceedings are expressly kept open. Order accordingly.

(R. G. KETKAR, J.)