

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1412 OF 2015

Leena Manoj Mehta } Petitioner
versus
Bharat Petroleum }
Corporation Limited and Ors.} Respondents

Mr. Mehul Shah i/b. Mr. Rakesh Dane for
the petitioner.

Mr. Nikhil Sakhardande with
Mr. Shivprasad R. Page for respondent
nos. 1 to 3.

**CORAM :- S. C. DHARMADHIKARI &
 DR. SHALINI PHANSALKAR-JOSHI, JJ.**
DATED :- JUNE 8, 2016

P.C. :-

After we heard both sides for sometime and pointed out that the writ petition involves a factual dispute, which cannot be resolved in writ jurisdiction, the learned advocate appearing for the petitioner, on instructions, seeks leave to withdraw this writ petition with liberty to file a suit in a competent civil court. However, his request is that since an ad-interim order is operating in this petition from 4th August, 2015, the same be continued for a reasonable period so as to enable the petitioner to apply for appropriate interim orders in the suit.

2) We have heard the counsel on this limited point. In our view, interest of justice would be served if the ad-interim order dated 4th August, 2015 is continued without prejudice to the rights and contentions of both sides for 4 (four) weeks from today. We clarify that we have not expressed any opinion on the rival contentions. The civil court is not bound to continue this order merely because this court had granted some limited protection. It is entirely for the trial court to deal with any application filed by the petitioner for interim relief on its own merits and in accordance with law.

(DR. SHALINI PHANSALKAR-JOSHI, J.) (S.C.DHARMADHIKARI, J.)