

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3037/2016

Vishal s/o Krantikumar Jain and another

..VS..

Shri Satish s/o Nathulalji Jain and others

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

Court's or Judge's orders

Shri M. Anilkumar, Adv. for the petitioners.
Shri P.S. Verma, Adv. for respondents 5 and 6.

CORAM : Z.A.HAQ, J.

DATED : 22.6.2016.

The petitioners and respondent Nos.5 and 6 have filed Pursis Stamp No.6884/2016 pointing out that they have arrived at amicable settlement. The learned Advocate for the petitioners states that the request made in paragraph No.6 of the pursis may be granted by this Court and seeks permission to withdraw the petition. Looking to the nature of dispute between the parties, in my view, it will be appropriate that the trial Court considers the request of the petitioners.

Hence, the following order:

- (i) The petition is **disposed** as withdrawn.
- (ii) The petitioners are granted liberty to file an application seeking review of the orders or for recalling of the orders passed by the trial Court on Applications (Exh. Nos.40, 111 and 115), in view of the amicable settlement between the

petitioners and respondent Nos.5 and 6. The trial Court shall liberally consider the issue of delay in filing the application praying for review or recalling the orders.

The petition is **disposed** in the above terms.

In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.