IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 389 OF 2017

Shri Anandrao Ganpati Harale ..Petitioners.
and Ors.

Vs

Smt. Mangal Dnyandeo Harale .. Respondents
and Ors.

Mr.Manoj A. Patil a/w Suman Lengare, Advocate for petitioners.
Mr. Mithun Mahajan, Advocate for Respondents no.1 and 2.

CORAM : R.G.KETKAR,J.
DATE : 25/01/2017

PC:

1. Heard Mr.Manoj Patil, learned counsel for the petitioners and Mr.Mithun Mahajan, learned counsel for respondents no.1 and 2 at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioners, hereinafter referred to as defendants no. 1 to 14 and 16, have challenged the Judgment and order dated 18.5.2016 passed by the learned Civil Judge, Junior Division, Peth Wadgaon below Exhibit 5 in Regular Civil Suit No. 58 of 2016, as also the Judgment and order dated 3.12.2016 passed by the learned Ad-hoc District Judge-3, Kolhapur in Misc.Civil Appeal No. 119 of 2016. By these orders, the Courts below allowed application-Exhibit-5 filed by the original plaintiffs and issued injunction restraining defendants no.1 to 5 and 16 from dispossessing the plaintiffs without following due process of law

as also creating third party interest.

3. Mr. Patil states that petitioner no.5 who is purchaser of the property is present in the Court. He has tendered his photocopy of Aadhaar Card which is taken on record and marked 'X" for identification. Upon taking instructions from petitioner no. 5, Mr Patil seeks permission to withdraw this petition with liberty to file appropriate application for early disposal of the suit.

4. On the motion made by Mr. Patil, Petition is allowed to be withdrawn with liberty as prayed for. If defendants no. 1 to 14 and 16 file such application, the learned trial Judge will pass appropriate order. Order accordingly.

(R.G.KETKAR, J.)