

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1258 OF 2017

M/s Clinirx Research Pvt Ltd

..Petitioner.

Vs

Bilcare Limited and Ors

.. Respondents

Mr.Vijay Thorat, Senior Advocate i/b Deepnarayan Mishra,
Advocate for Petitioner.

Mr.Astad Randeria i/b M/s Kanga & Co., Advocate for Respondent
no.1.

**CORAM : R.G.KETKAR,J.
DATE : 20/02/2017**

PC:

1. Heard Mr.Vijay Thorat, learned senior counsel for the petitioner and Mr.Astad Randeria, learned counsel for respondent no.1 at length.

2. By this Petition under Article 227 of the Constitution of India, the petitioner has challenged the Judgment and order dated 9.6.2016 passed by the learned Jt.Civil Judge, Senior Division, Khed-Rajgurunagar below Exhibit -246 in Spl. Civil Suit No.22 of 2014 (old) and Spl.Civil Suit No.2/2016 (new). By that order, the learned trial Judge rejected the application made by petitioner, hereinafter referred to as defendant no.1, under section 8(1) of the Arbitration and Conciliation Act, 1996.

3. After arguing the matter for sometime, Mr. Thorat seeks permission to withdraw this Petition with liberty to adopt

appropriate proceedings. Mr. Randeria submits that if such liberty is granted, all contentions of the first respondent may be kept open.

4. In view thereof, on the motion made by Mr. Thorat, Petition is allowed to be withdrawn with liberty as prayed for. All contentions of the parties are and is dismissed as withdrawn. Order accordingly.

(R.G.KETKAR, J.)