

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

**WRIT PETITION NO. 11320 OF 2016
WITH
WRIT PETITION NO. 12248 OF 2016**

Mr. Dinesh Sunder Sajnani ..Vs.. Mr. Hisha Dinesh Sajnani

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mrs. T.F.Irani for Petitioner.
None for Respondent.

CORAM : K. K. TATED, J.
DATE : JUNE 19, 2017.

P.C. :

1. Not on board. At the request of learned Counsel for Petitioner, matter is taken on board for urgent orders.

2. Heard learned Counsel Mrs. Irani for Petitioner.

3. The learned Counsel for Petitioner submit that she had also been informed to the other side by e-mail dated 19th June, 2017 about today's production. The statement is accepted.

4. By this petition under Article 227 of the Constitution of India, Petitioner is

challenging the order dated 22nd July, 2016 passed by the learned Judge, Family Court No.2, Mumbai below Exh.48 in Petition No. A-258 of 2015 rejecting Petitioner's application for summer vacation of 2015.

5. The learned Counsel for Petitioner submit that in view of subsequent development, she received instructions from her client to withdraw this Petition with liberty to file appropriate application before the Family Court for subsequent vacation and that to be decided on its own merits. To that effect she has filed praecipe dated 16th June, 2017. Same is taken on record and marked "X" for identification.

6. Considering the submission made by the learned Counsel for Petitioner and praecipe dated 16th June, 2017, following order is passed.

ORDER

(A) Writ Petition stand disposed of, as withdrawn.

(B) Liberty is granted to the Petitioner to file a fresh application for subsequent vacation before the Family Court, Mumbai at Bandra in Petition No. A-258 of 2015.

(C) The Family Court to decide the fresh application filed by the Petitioner on its own

merits without influencing the earlier order dated 22nd July, 2016.

(K.K.TATED, J.)