

THE HON'BLE SRI JUSTICE S. V. BHATT

WRIT PETITION No. 12854 of 2012

ORDER:

Heard Mr.V.Nitesh for petitioner and the Government Pleader for Panchayat Raj for Respondents.

2. Admittedly, the petitioner has filed a suit against the 3rd Respondent for relief of perpetual injunction restraining 3rd Respondent from interfering with petitioner's possession and enjoyment of his house/ western side compound. The cause for filing the instant writ petition is that Respondents Nos.1 and 2 at the instance of 3rd Respondent are, firstly, demolishing the structures on western side of the compound wall of the petitioner's house and thereafter laying a road thereby affecting petitioner's right and enjoyment to the house or compound wall.

3. The learned counsel for petitioner, after taking note of the stand of the Respondents in the counter-affidavit, submits that the petitioner may be given liberty to workout all prayers against the Respondents herein in the pending suit, and permit the petitioner to withdraw the writ petition.

4. The request of the learned counsel for petitioner is accepted, and the writ petition is dismissed as withdrawn giving liberty as prayed for. As a sequel, the miscellaneous applications

pending, if any, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

February 22, 2017
Kv



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