

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.210/2018

Girish Dhirajlal Kachalia

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Mr. Ghanshyam Upadhyay with Kamlesh Mishra I/b. Law Juris for the
Petitioner

Mr. A. P. Vanarase, AGP for the Respondent No.1 State

Mr. Rohit Gupta with Nikhil Rajani I/b. V. Deshpande & Co. for
Respondent Nos.2 and 3.

**CORAM: K.K. TATED &
S. K. SHINDE, JJ.**

DATED : AUGUST 31, 2018

P.C. :

1 Heard. By this petition under Article 226 and 227 of the Constitution of India the Petitioner challenges the order dated 15.12.2017 passed by the DRAT, Mumbai in Appeal No.160/2017 rejecting the Petitioner's Application for granting ad-interim relief. That appeal was filed by the Petitioner against the order dated 20.11.2017 passed by the DRT in IA No.898/2017 in Appeal No.13/2017.

2 The learned counsel for the Petitioner submits that, during pendency of the Writ Petition, the Appeal No.13/2017 before DRT stood dismissed for non prosecution. He submits that they have already made an Application for restoration of the said appeal. Said

Basavraj
Gurappa
Patil

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Basavraj Gurappa
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Basavraj G. Patil

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Application is pending for hearing on merits. He submits that in view of subsequent development, the Petitioner may be permitted to withdraw the Writ Petition with liberty to file afresh, in case the appeal No.13/2017 is restored. To that effect, he has given in writing. Same is taken on record and marked "X" for identification.

2. The Writ Petition stands disposed of as withdrawn with liberty as prayed for.

(S. K. SHINDE, J.)

(K. K. TATED, J.)