

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

WRIT PETITION NO.605 of 2018

Shri Badshah Nabi Shaikh ... Petitioner

V/s.

The Commissioner,
Bhiwandi Nizampur City Municipal
Corporation, Thane & ors. ... Respondents

Mr. Tushar P. Rajmane for the petitioner.

Mr. Abdul Hafeez Kotwala for respondent no.3.

**CORAM : NARESH H. PATIL, ACTING C.J.
& G.S. KULKARNI, J.**

19th September, 2018.

P.C.

The learned Counsel appearing for petitioner seeks leave to withdraw the petition. The affidavit of petitioner Badshah Nabi Shaikh is filed. It is submitted that a Regular Civil Suit No.250/2015 is being contested before the Civil Judge, Junior Division, Bhiwandi.

2. Mr.Tushar Prakash Rajmane, the learned Counsel appearing for petitioner submits that note of appearance is tendered today. He would file Vakalatnama within eight days.

3. The learned Counsel for Corporation submits that an application for vacating the ad-interim order passed by trial Court has already been filed.

4. In case that application is still pending, we direct the Civil Judge, Junior Division, Bhiwandi to deal with the said application and decide it on its own merits at the earliest. The parties to co-operate with the Civil Court.

5. In view of request made by the petitioner to withdraw the petition, leave is granted. The Writ Petition stands disposed of as withdrawn.

G.S.KULKARNI, J

ACTING CHIEF JUSTICE

L.S. Panjwani, P.S.