

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition (ST) NO. 5806 OF 2018

Manoj Vidyasagar Dubey

...Petitioner

Versus

Union Of India,
And Ors.

...Respondents

....

Mr. Rajesh S. Patil, Advocate for the Petitioner.

Mr. Kezer Kharawala i/b. Lex Juris, for Respondent No.1.

....

CORAM : R. G. KETKAR, J.

DATE : 01st MARCH, 2018

P.C.

1. Not on board. At the request of Mr.Patil taken up in the production board.
2. Heard Mr.Rajesh Patil, learned counsel for the petitioner and Mr.Kezer Kharawala, learned counsel for respondent No.1, at length.
3. Leave to amend so as to challenge the order dated 21.2.2018 passed by the learned trial Judge below Exhibit-9 in R.A.D. Suit No.90/2018 is granted. Amendment shall be carried out forthwith.
4. By this Petition under Article 227 of the Constitution of India, the petitioner, hereinafter referred to as the 'plaintiff' has challenged the

order dated 21.2.2018 passed by the learned trial Judge below Exhibit-9 in R.A.D. Suit No.90/2018. By that order, the learned trial Judge rejected the application made by the petitioner for temporary injunction restraining the defendants from disturbing, interfering and/or dispossessing him from flat No.5A, admeasuring 900 sq. ft. built up, Valmik CHS Ltd., Church Road, Andheri (East), Mumbai – 400 059 without following due process of law and in view of the order dated 1.1.2018 passed by the learned Additional Chief Metropolitan Magistrate, Esplanade, Mumbai.

5. Mr. Patil states that the petitioner is present in the Court. He has tendered photo-copy of his PAN card, which is taken on record and marked “X” for identification. After arguing the Petition for quite some time and after taking instructions from the petitioner, Mr. Patil seeks permission to withdraw the Petition.

6. On the motion made by Mr. Patil, the Petition is allowed to be withdrawn and is dismissed as withdrawn. Order accordingly.

(R. G. KETKAR, J.)