

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1911 OF 2003**

Dwarkadas Govinddas Devi .. Petitioner.

Vs.

The Karmala Urban

Cooperative Bank Ltd. .. Respondent

**WITH
WRIT PETITION STAMP NO.7110 OF 2018**

The Karmala Urban

Cooperative Bank Ltd. .. Petitioner

Vs.

Dwarkadas Govinddas Devi .. Respondent

Ms.Nayana Buch with Mr.S.K.More for the petitioner in WP No.1911/2003
and for the respondent in WP (L) No.7110/2018

Mr.Milind R. Deshpande for the respondent in WP No.1911/2003 and for the
petitioner in WP (L) No.7110/2018.

CORAM : A.K. MENON, J.

DATED : 11TH APRIL, 2018.

P.C. :

1. Writ Petition No.1911 of 2003 was admitted on 8th April, 2003.
On 4th April, 2018 after arguments commenced Mr. Deshpande, learned
counsel appearing for the respondent submitted that the respondent-bank
had also filed a writ petition challenging the order impugned in this petition.

As stated earlier this petition was admitted on 8th April, 2003 and on query to Mr. Deshpande, he stated that the bank's petition challenging the order impugned in this petition was affirmed on 5th February, 2018. That petition was lodged on 7th March, 2018 and is seen to be taken on file on 6th April, 2018. The Writ petition is still on stamp number. In that view of the matter the Writ Petition (Stamp) No.7110 of 2018 was taken up along with Writ Petition No.1911 of 2003.

3. Considering that the order impugned was passed in 2003 and the petition was filed only this year, I asked Mr.Deshpande to explain the unconscionable delay in approaching the court. At this stage Mr.Deshpande states on instructions that he does not wish to press Writ Petition (Stamp) No.7110 of 2018. In the circumstances, he seeks leave to withdraw Writ Petition (Stamp) No.7110 of 2018.

Accordingly, I pass the following order :

- (a) Writ Petition (Stamp) No.7110 of 2018 is allowed to be withdrawn.
- (b) In Writ Petition No.1911 of 2003 judgment reserved.
- (c) No costs.

(A.K. MENON,J.)