

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No.8880 OF 2018

Shri.Shailesh J. Pawar ... **Petitioner**

V/s.

Sau Sweta Shalesh Pawar ... **Respondent**

.....

Shri.Tejas Dande with Mr.Vishal Navale i/b. Tejas Dande & Associates, Advocate for the Petitioner.

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CORAM : M.S.SONAK, J.

DATED : 19th DECEMBER 2018.

P.C. :

1 After this matter was heard for some time, the learned Counsel for the petitioner seeks leave to withdraw this petition. He, however, submits that it may be clarified that the observations in the impugned Order should not influence the trial Judge while deciding the main matter on merits. He also states that the respondent is unnecessarily delaying the progress in the suit and therefore, some directions are to be issued for expeditious disposal of the suit. He also submits that if the parties are referred to mediation, then there is possibility of settlement.

2 Taking into consideration the responsible approach of the learned Counsel for the petitioner, the trial Court is directed to

consider whether the parties should be referred to mediation and if so found, refer the parties to mediation. Even if the mediation does not succeed, the trial Court to ensure that the proceedings are not unnecessarily delayed or that adjournments are not granted for each and every reason.

3 With the aforesaid observations, this petition is disposed of as withdrawn.

4 It is clarified that none of the observations in the impugned Order should influence to the learned trial Judge and the learned trial Judge to decide the main matter on its own merits.

5 Accordingly, all contentions of the parties are kept expressly open.

(M.S.SONAK, J.)