

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14351 2016

Shri. Govind Tukaram Bhoir (since deceased)
Through his Lrs.

.. Petitioners

Versus

Shri. Sakharam Tukaram Bhoir & Ors.

.. Respondents

Mr. J.M. Puranik for the Petitioners.

CORAM : K.K. TATED, J.

DATE : 28 NOVEMBER 2018.

P.C:-

. Heard learned Counsel Mr. J.M. Puranik for the Petitioners. By this Petition under Article 227 of the Constitution of India, the Petitioners/original Plaintiffs are challenging the order dated 04.08.2016 passed by the Additional Sessions Judge, Thane below Exhibit-52 in Misc. Civil Appeal No. 63 of 2014 confirming the order dated 14.03.2014 passed by Civil Judge Junior Division, Bhiwandi below Exhibit-5 in Regular Civil Suit No. 898 of 2013, rejecting Petitioners application for temporary injunction.

2. Learned Counsel for the Petitioner submits that Petitioner No. 1.3, Shri. Sahadev Govind Bhoir is present in Court. He submits that he received instructions from his client to withdraw the present Writ Petition. He submits that this Hon'ble Court be pleased to expedite the hearing of Regular Civil Suit No. 898 of 2013 which is pending for hearing for last several years before Civil Judge Junior Division, Bhiwandi.

3. Learned Counsel for the Petitioners has given in writing for withdrawal of the present Writ Petition. Same is taken on record and marked 'X' for identification. Same is accepted. Hence, following order is passed :-

- a) Writ Petition stands disposed of as withdrawn.
- b) Considering the facts and circumstances of the present case, hearing of Regular Civil Suit No. 898 of 2013 pending before Civil Judge Junior Division, Bhiwandi is expedited.
- c) This Court expect that the trial Court to decide Regular Civil Suit No. 898 of 2013 as earlier possible preferably before end of June, 2019.
- d) No order as to costs.

(K.K. TATED, J.)