

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6475 OF 2015

Shri Duryodhan Krushna Kirdakar and Another ..Petitioners

Vs.

Shri Jaysingh Nanasaheb Deshmukh ..Respondent

Mr. Samarth Moray I/b V. S. Talkute, for the Petitioners.

Mr. A. A. Dalvi, for the Respondent.

CORAM :- B.P.COLABAWALLA, J.
DATE :- DECEMBER 7, 2018.

P. C.:

This Writ Petition challenges the judgment and order dated 19th November, 2014 passed by the Trial Court below Exhibit-38 in Regular Civil Suit No. 11 of 2009. Exhibit-38 was an application filed by the Original Plaintiff (the Respondent herein) under Order VI Rule 17 of the Code of Civil Procedure, 1908 for amendment of the plaint. The amendment sought for was allowed by the Trial Court vide impugned order and hence the present Writ Petition.

2 The learned counsel appearing on behalf of the Petitioners has stated before me that now the suit before the Trial Court itself has been disposed of in view of the compromise that has been arrived at between the Petitioners and the Respondent herein. He, therefore, submits that nothing survives in this Writ Petition and hence seeks leave to withdraw the same.

3 Considering the statement made by the learned counsel appearing on behalf of the Petitioners and the subsequent developments, the Writ Petition is allowed to be withdrawn. There shall be no order as to costs.

(B. P. COLABAWALLA, J.)