

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14091 OF 2017

Grant Medical Foundation,
Ruby Hall Clinic

.. Petitioner

Versus

New India Assurance & Ors.

.. Respondents

Ms. Benita Kapadia with Aekaanth Nair i/b. M/s. K. Ashar & Co. for
petitioner

Ms. Ruchika Dave i/b. A.S.Vidyarthi for respondent No.1

Mr. Shrinivas Bhawe with Sunayana Kashid i/b. Bhawe & Co. for
respondent No.2

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 8th February 2018.

P.C.

1] Heard learned Counsel for the petitioner and respondent
Nos. 1 and 2.

2] Learned Counsel for the petitioner submits the petitioners are
exploring the possibility of settlement and, therefore, the petitioner is
seeking leave to withdraw this petition with liberty to file fresh
proceedings, if the settlement does not take place. Learned
Advocate for respondent No.1 submits that she has no instructions

about the talks of settlement. Leave granted. Petition is allowed to be withdrawn with liberty.

3] At this juncture, it is pointed out by the Shirestedar that the petition is already dismissed for non removal of office objections. Perused the endorsement dated 8th February 2018 made today itself. It appears that all the objections have been removed by the petitioner except the one which says page nos. 89 to 100 are not properly tagged. On perusal of the paperbook it is found that the said objection is not tenable and is frivolous. Hence, the same is waived. Petition is restored back to file.

4] In the result, the petition is allowed to be withdrawn with liberty as prayed.

(MRS.MRIDULA BHATKAR, J.)