

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 982 OF 2017

Shri Manjunath T. Revankar ..Petitioner

Vs.

Shri Mansingh G. Labana ..Respondent

Mr. Virendra Pethe, for the Petitioner.

Mr. Rajeshchandra M. Kanojia, for the Respondent.

CORAM :- B.P.COLABAWALLA, J.
DATE :- NOVEMBER 26, 2018.

P. C.:

By this Writ Petition, the Petitioner challenges the order dated 27th October, 2016 passed below Exhibit-42 in Regular Civil Suit No. 176 of 2014. By this application, the Plaintiff sought amendment of the plaint as per the provisions of Order VI Rule 17 of the Code of Civil Procedure, 1908 (for short "Code"). This application came to be allowed by the impugned order, and hence the Writ Petition.

2 I have heard the learned counsel for the parties. After

arguing for some time, the learned counsel for the Petitioner sought leave to withdraw this Petition with liberty to raise all these contentions, if the Petitioner suffers a decree and he challenges the same in accordance with law.

3 Considering this statement, the Writ Petition is allowed to be withdrawn with liberty as prayed.

4 I am also informed that the Petitioner herein has filed an application under Order VII Rule 11 of the Code for rejection of the plaint in R. C. S. No. 176 of 2014. This application for rejection of the plaint has been pending since July 2014.

5 Considering this fact, the Trial Court is requested to decide the application under Order VII Rule 11 of the Code filed by the Petitioner herein as expeditiously as possible and in any event within a period of four months from today.

(B. P. COLABAWALLA, J.)