

Arunkumar Shrivastava	}	Petitioner
versus		
Reserve Bank of India and Anr.	}	Respondents

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

P.C. :-

1. In this review petition and which was filed after some delay, a notice of motion was moved seeking condonation of delay. On 12th June, 2018, the advocate appearing for the applicant-review petitioner informed the court that the petitioner-applicant Mr.Arunkumar Shrivastava does not desire that the advocate should continue and represent him. Rather, the petitioner wants to appear in-person. That is how on 12th June, 2018, we discharged him as an advocate for the applicant-review petitioner.

2. The matter was posted today. Today, there is a strange development. The very advocate, who was discharged, has stated that the petitioner has requested him to continue. He states that not only has the petitioner requested him to continue to represent him, but Mr. Sangle advocate has been instructed to seek leave to withdraw the review petition as also the notice of motion. He says that there is an affidavit affirmed by the petitioner at Nagpur before a Notary Public of the Government of India and he has the original affidavit with him.

3. Similarly, the applicant-review petitioner contacted the Registry of this court and the Registry told him that he should forward his affidavit, if he so desires, by e-mail, if he has any difficulty in attending the proceedings today. On these oral instructions from the Registry, the applicant Arunkumar Shrivastava addressed an e-mail to the Registry in which he says that because of the incessant rains at Mumbai, he could not board the train from Nagpur to Mumbai and he is aged 74 years and finds it difficult to travel to Mumbai. He has affirmed this affidavit and sincerely and genuinely requested for withdrawal of both the proceedings. The affidavit tendered by the petitioner's advocate today and the affidavit forwarded by e-mail to the Registry have been compared in the presence of the petitioner's advocate. The

Associate of this court brought to the notice of the petitioner's advocate the discrepancy in the details of the notarial affirmation. The petitioner's advocate maintains that this is insignificant because the petitioner has also confirmed today in a conversation with the advocate that this affidavit should be tendered and leave should be obtained to withdraw the proceedings.

4. Proceeding on the above lines and on the statements of Mr.Sangle, we grant leave to withdraw both, the notice of motion and the review petition. Both stand disposed of.

5. The affidavit tendered today as also the e-mail of the applicant Arunkumar Shrivastava are retained on record of these proceedings. We also keep on record the copy of the communication by e-mail between applicant-Arunkumar Shrivastava and his advocate Mr. Sangle.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)