

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2624 OF 2016

Prashna Vinod Shah	...Petitioner
Versus	
Vimal Rajaram Patil & Anr.	...Respondents

Mr. Bhushan Walimbe for petitioner.

**CORAM : N. J. JAMADAR J.
DATE : OCTOBER 10, 2019**

P.C. :

1. Heard learned Counsel for petitioner.

2. The challenge in this petition is to the Judgment passed by learned District Judge-1, Islampur on 15th October 2015 in Misc. Civil Appeal No.87/2014 whereby the petitioner/defendant was restrained from alienating the suit property during the pendency of Regular Civil Suit No.304/2014.

3. Learned Counsel for the petitioner has tendered the copy of the order passed in the said suit on 20th July 2017 whereby the suit came to be dismissed in default for non-appearance of the plaintiff.

4. In view of the aforesaid development in the intervening period, the learned Counsel for the petitioner seeks permission to withdraw this petition with liberty to renew the petition in the event the Regular Suit No.304/2014 is restored to file by the Court below.

5. In view of above, Writ Petition stands disposed of as withdrawn with liberty as prayed for.

(N. J. JAMADAR, J.)