

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.13431/2018

Vivekanand Vasudeo Shenoy

... Petitioner

V/s.

Somdatta @ Omkar Sadashiv Samb & Ors.

... Respondents

Mr. Tejesh Dande I/b. Tejesh Dande & Associates for the
Petitioner

Mr. Sujay H. Gangal for the Respondents

CORAM: K.K. TATED, J.

DATED : JANUARY 14, 2019

P.C. :

1 Heard. By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 28.09.2018 passed by the Jt. Civil Judge, Senior Division, Alibaug below Exhibit- 45 in Special Civil Suit No. 85/2016 rejecting the Petitioner's Application under section 33 and 34 of the Maharashtra Stamp Act, 1958.

2 When this court declined to entertain the Writ Petition, the learned counsel for the Petitioner seeks permission to withdraw the Writ Petition with liberty to take out appropriate proceedings for the same cause of action as per the observations made by the Trial Court in paragraph 6 of the impugned order. To that effect, he has given in writing. Same is taken on record and marked "X" for identification.

3 Writ Petition stands disposed of as withdrawn with liberty
as prayed for. No order as to costs.

(K. K. TATED, J.)