

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

WRIT PETITION NO.14301 OF 2017

Leela Parshuram Uttarkar .. Petitioner

V/s.

Uttarkar Brothers and Ors. .. Respondents

WITH

WRIT PETITION NO.7679 OF 2018

Arvind Atmaram Uttarkar .. Petitioner

V/s.

Leela Parshuram Uttarkar and Ors. .. Respondents

Ms.C.S.Savithri for the petitioner in WP No.14301 of 2017

Mr.Sandeep S. Kumbar for the respondent nos.1 and 2 in WP No.14301 of 2017 and for petitioner in WP No.7679 of 2018

Mr.Rakesh Agrawal for the respondent nos.4 to 6 in WP No.14301 of 2017

**CORAM: K.K. TATED, J
DATED : JANUARY 25, 2019**

P.C. :

1 Heard.

2 After arguing for some time, both the parties submitted minutes of order dated 25.01.2019 duly signed by Petitioner and

Respondent nos.2, 4 and 5. Same is taken on record and marked 'X' for identification which read thus:

"MINUTES OF ORDERS:

1. *The Petitioner is permitted to withdraw present Petition with liberty to adopt appropriate proceedings to bring subsequent events on record but without seeking any reliefs against Respondents No. 4 to 6.*
2. *In view of the above, the Respondent no. 2 being the Petitioner in the Writ Petition no. 7679 of 2018 does not press for said Petition and he is permitted to withdraw said Writ Petition no. 7679 of 2018. However, the Respondent no. 2 shall be at liberty to file additional Written statement to the amended plaint within period of 4 weeks from today.*
3. *Trial court to decide, any such applications made by the parties, on its own merits without being influenced by earlier order.*
4. *No order as to cost."*

3 Respondent nos.2 and 5 are present in court. They entered into the witness box. They admit the contents and execution of the Minutes of Order.

4 Both the Writ Petitions stand disposed of in terms of minutes of order dated 25.01.2019. No order as to costs.

(K.K. TATED, J.)