

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13515 OF 2018

Nirajkumar Chhanganbhai Patel ... Petitioner
Vs.
Tanvi Nirajkumar Patel ... Respondent

Mr. Sachin Padaye i/b. Mr. Girish R. Agrawal for Petitioner.
Mr. Vikram R. Sutaria for respondent.

CORAM : R. G. KETKAR, J.
DATE : JANUARY 29, 2019

P.C. :

Not on Board. At the request of Mr. Padaye, taken up in the production Board.

2. Heard Mr. Padaye, learned Counsel for the petitioner and Mr. Sutaria, learned Counsel for the respondent.

2. This matter is moved by way of praecipe dated 29.01.2019 for withdrawal of the Petition. Mr. Padaye has tendered affidavit dated 24.01.2019 filed by the petitioner. In paragraph 2 of that affidavit, petitioner stated that he does not wish to pursue this Petition and therefore, seeks liberty to withdraw the Petition. The said affidavit is taken on record and marked 'A' for identification. Mr. Padaye has also filed praecipe dated 23.01.2019 enclosing therewith a copy of the order dated 12.12.2018 as also copy of the Demand Draft No.721116 dated 14.01.2019 in the sum of Rs.1,27,500/- drawn on Canara Bank. The same is taken on record and marked 'B' for identification. He states that petitioner has deposited the said Demand Draft in this Court. He further states that petitioner has cleared the arrears of maintenance as on 31.12.2018. Mr. Sutaria confirms that petitioner has cleared the arrears

of maintenance as on 31.12.2018 and submits that respondent may be permitted to withdraw the amount so deposited by the petitioner. Mr.Padaye has no objection for withdrawal of the amount.

3. In view thereof, Petition is allowed to be withdrawn and is disposed of as such. The respondent is permitted to withdraw Rs.1,27,500/- deposited by the petitioner in this Court, unconditionally. Order accordingly.

(R. G. KETKAR, J.)

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