

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14489 OF 2018**

M/s. Kaushik Real Techs Ltd. .. Petitioner

Versus

M/s. B.J. Enterprises through partner .. Respondent

Mr. D.V. Sawant I/b Ms. Sneha A. Malkar for petitioner.
Mr. Mahendra Ghelani I/b Salik Khan for respondent No.1.
Mr. Jitendra B. Dake I/b Laxman Raghunath Kashid for
respondent Nos.3/1 to 3/8 and 4.

CORAM : K.K. TATED, J.

DATE : 16 JANUARY 2019.

P.C:-

. Heard learned Counsel for the parties.

2. After hearing for sometime, both the counsel submitted minutes of order dated 15.01.2019 duly signed by respective advocates on record. Same is taken on record and marked 'X' for identification. Same is accepted. Same reads thus :

“ Heard the Advocates for Petitioners and Respondents. Upon hearing the following order passed and Minutes recorded.

1. Petitioner seeks and permitted to withdraw present writ petition.
2. No order as to cost.
3. Liberty granted to Petitioner to approach Trial Court, Civil Judge, Senior

Division, Panvel in S.C.S. 12/2008 and Appellate Court, Additional District Judge, Alibag in Misc. Civil Appeal No.39/2018 and file applications to join the Petitioner claiming to be necessary parties to the suit and appeal, within two weeks from today. Learned Trial Court and Appellate Court to decide the applications to be filed by Petitioners, in accordance with law within two weeks thereof and in any event on or before 16th February, 2019

4. The ad-interim order dated 21st December, 2018 passed by this Hon'ble Court to continue only till 16th February, 2019 or disposal of the Applications for impleadment whichever is earlier. The Appellate Court may take up the hearing of the Appeal after disposal by it of the Application for impleadment.
5. This order is without prejudice to all rights, claims and contentions of parties, all of which are kept open.

Dated this 15th day of January, 2019”

3. Writ petition stands disposed of in terms of minutes of order.
4. No order as to costs.

(K.K.TATED, J.)