

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.909 OF 2017

(M/S. RANA PLOTS AND CONSTRUCTION COMPANY...VS.. SANJAY DULICHAND RATHOD & OTH.)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri A.V.Bhide, Advocate for Petitioner.
 Shri A.R.Chavan, Advocate for Respondent No.1.

CORAM : Z.A.HAQ, J.

DATED : MARCH 01, 2019.

After arguing for sometime, the learned Advocate for the petitioner(original plaintiff) seeks permission to withdraw the application (Exh.36) which was filed by the plaintiff under Order I Rules 10 and 18 of the Code of Civil Procedure. The learned Advocate for the petitioners (plaintiff) submitted that the application (Exh.36) suffers from major defects and therefore, the petitioner may be permitted to withdraw the application with liberty to file fresh application.

The prayer made on behalf of the petitioner (plaintiff) is opposed by the learned Advocate appearing for the respondent No.1.

The plaintiff is permitted to withdraw the application (Exh.36) and considering the facts of the case, liberty is granted to the plaintiff to file fresh application, if so advised.

As the application (Exh.36) is withdrawn by the plaintiff, the impugned order passed on the application does not survive.

The writ petition is **disposed** in the above terms.
In the circumstances, the parties to bear their own costs.

JUDGE

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