

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO.7330 OF 2018

(Sayed Natiquddin Khatib and others ..vs.. Sheikh Kalu Sheikh Nazir and others)

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

Court's or Judge's orders

Shri A.S. Deshpande, Counsel for the petitioners,
Shri C.A. Lohia, Counsel for respondent 1.

CORAM : ROHIT B. DEO, J.

DATED : 17-10-2019

Shri A.S. Deshpande, learned Counsel for the petitioners states, on instructions, that the petitioners may be permitted to withdraw the petition with liberty to prefer appeal under Section 15 of the Consumer Protection Act.

2. The petition is disposed of as withdrawn with liberty as prayed.

3. Every contention raised in the petition, including the contention that the dispute as raised is beyond the jurisdiction of the fora under the Consumer Protection Act is kept expressly open.

4. The interim order dated 23-1-2019 shall continue to operate for four weeks in order to enable the petitioners to take recourse to the remedy under the Consumer Protection Act.

5. While considering the prayer for interim relief, if such prayer is made, the forum under the Consumer Protection Act shall not be influenced by the continuation of the interim relief by this Court and such prayer for interim relief shall be considered on its own merits.

JUDGE

adgokar