

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11202 OF 2019
WITH
WRIT PETITION NO. 11208 OF 2019

JAWAHAR PREMRAJ MUTHA
VERSUS
SHRIKANT BANSILAL MUTHA AND OTHERS

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Advocate for Petitioner: Mr. Pradeep Deshmukh h/f Mr. Anand
D. Kawre

Advocate for Respondent Nos. 1 and 8: Mr. R.R. Mantri

Advocate for Respondent No.5: Mr. Vijay V. Deshmukh

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CORAM : V. K. JADHAV, J.

DATED : 20th January, 2020

PER COURT :-

1. Learned counsel for respondent nos. 1 and 8 – original plaintiffs, on instructions, submits that the respondents are not going to examine respondent no.1 – original plaintiff viz. Shrikant Bansilal Mutha as a witness.

2. Learned counsel for the petitioner submits that by transposing the original defendant no.8 as a plaintiff, the respondents – original plaintiffs are examining him at initial stage and thereafter, they would examine the original plaintiff no.1 viz. Shrikant Bansilal Mutha. However, the apprehension expressed by the learned counsel for the petitioner does not exist in view of the statement made by the learned counsel for

respondent nos.1 and 8. Learned counsel for respondent nos. 1 and 8 has also placed on record the *pursis* to that effect.

3. In view of the above, the learned counsel for the petitioner, on instructions seeks leave to withdraw both the writ petitions. Leave granted. Both the writ petitions are disposed of as withdrawn.

4. The parties may file an application for expeditious hearing of the suit and upon filing such application, the trial court may consider it.

(V. K. JADHAV, J.)

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