

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.6704 OF 2019

Vasant Nivrutti Patil (Babar) and Anr. ... Petitioners

Versus

Bhanudas Nivrutti Babar ...Respondent

Mr. S. A. Sawant i/b Mr. H. S. Kadam, for the Petitioners.

Ms. Sujata Rajguru, for the Respondent.

CORAM : REVATI MOHITE DERE, J.

DATE : 3rd MARCH, 2020

P.C. :

1. Learned Counsel for the Respondent states that pursuant to the order dated 15th March, 2019, passed by the learned District Judge 6 and Additional Sessions Judge, Sangli, the respondent – defendant has completed the construction of the road and has also given an undertaking as directed by clause – 3 of the operative order dated 15th March, 2019. She submits that in view of the same, the petition does not survive. She further states that the respondent – defendant will not carry out any further construction of the road and will abide by the undertaking given by him, to the Appellate Court.

2. In view of the aforesaid, learned counsel for the petitioners does not press this petition and seeks leave to withdraw the same.

3. Petition is accordingly disposed of as withdrawn.

4. The respondent – defendant to abide by the undertaking given by him in Miscellaneous Civil Appeal No.140 of 2018. In the peculiar facts, the hearing of the Suit is expedited. All contentions of all parties are kept open.

REVATI MOHITE DERE, J.