

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

Trusha T.
Mohite

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Trusha T. Mohite
Date: 2020.10.28
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**WRIT PETITION NO.2891/2019
WITH
CIVIL APPLICATION NO. 1103/2019**

Nitin R. Gandhi

.. Petitioner

vs.

Hindustan Antibiotics Ltd. & Ors.

.. Respondents

Mr. Ajay A. Joshi for the Petitioner.

Mr. Deendayal Dhanure for the Respondent No.2.

CORAM: K.K.TATED, &

N. R. BORKAR, JJ.

DATED : OCTOBER 27, 2020

P.C.

. Heard.

2 Today the matter is shown on board under caption for withdrawal pursuant to the praecipe dated 22nd October, 2020 filed by the Learned Counsel for the Petitioner. The same is taken on record and marked 'X' for identification.

3. The Learned Counsel for the Petitioner submits that, in view of the subsequent development, he received instructions from his client to withdraw the present writ petition with liberty to raise all the grounds in the pending appeal before Respondent No.1. He submits that, the Petitioner preferred appeal on 20th April, 2019 which is pending for hearing and final disposal on its own merits.

4. Considering the submissions made by the Learned Counsel for the Petitioner and praecipe dated 22nd October, 2020, the following order is passed:

- a. The Writ Petition and Civil Application stands disposed of as withdrawn.
- b. Appeal preferred by the Petitioner before Respondent No.1 on 20th April, 2019 to be decided on its own merits as early as possible.
- c. It is made clear that, the appeal to be decided within six months from service of the copy of this order.
- d. All contentions of both parties are kept open.
- e. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on a digitally signed copy of this order.

(N. R. BORKAR, J.)

(K.K.TATED, J.)