

nsc.

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

WRIT PETITION NO.10486 OF 2019

M/s. Vandana Construction
Through its partner
Madhukar Chandrakant Shinde ... Petitioner
Versus
Suhas Manohar Gaikwad and Ors. ...Respondents
Mr. A. P. Kulkarni, for the Petitioner.

CORAM : REVATI MOHITE DERE, J.

DATE : 26th FEBRUARY, 2020

P.C. :

1. Learned Counsel for the petitioner, on instructions of the petitioner, seeks leave to withdraw this petition, as the petitioner will lead his evidence in the capacity of the defendant in the trial Court. He states that the petitioner intends to challenge the order dated 29th August, 2013, by which the petitioner's suit was dismissed.
2. Petition is accordingly disposed of as withdrawn.
3. Needless to state, that it is always open for the petitioner to lead evidence in the capacity of a defendant in the counter-claim filed by Respondent No.1.

REVATI MOHITE DERE, J.