

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO.6281 OF 2016

JITENDRASINGH LAXMANSINGH SARDA
VERSUS
KRISHNA NARENDRASINGH SARDA AND OTHERS

...

Mr. Amar Sonkawade, Advocate holding for
Mr. A.V. Hon, Advocate for the petitioner.
Mr. Milind Patil, Advocate for respondent Nos.1 and 2.
Mr. A.D. Kasliwal, Advocate for respondent Nos.3 and 4.

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CORAM : **N.J. JAMADAR, J.**

DATE : 23rd April 2021.

PER COURT :-

1. Heard the learned Counsel for the petitioner.
2. The learned Counsel, on instructions, submits that the parties to this petition, who are the parties to the Special Civil Suit No. 197/1996, the decree in which is impugned in Regular Civil Appeal No.40/2012, have arrived at an amicable settlement and the consent terms have been settled. However, in the instant petition, which assails the order passed by the learned District Judge - 1, Kopergaon rejecting the application for amendment, this Court, while issuing notice, had granted interim relief in terms of prayer clause 'D' and thereby stayed the further proceeding and hearing of Regular Civil Appeal No. 40/2012 pending on the file of the learned District Judge, Kopergaon.

3. The learned Counsel, thus, seeks leave to withdraw the writ petition, so that the underlying proceeding can be settled by the parties.

4. In view of the aforesaid submission, the petitioner is permitted to withdraw the petition. The petition thus stands disposed of as withdrawn.

5. In view of disposal of the petition, the interim order stands vacated and thus there is no impediment in proceeding with the Regular Civil Appeal No.40/2012 by the District Court.

(N.J. JAMADAR, J.)

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