

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION NO.399 OF 2019**

MULLA AIJAZ @ MULLAM AIJAZ ... Petitioner
V/S

NIRMAL VISHWA, THR. ITS SECRETARY,
PRADEEP V. KAMAT ... Respondent

Mr. Charlton Menezes D'Souza, Advocate for the Petitioner.

Mr. A. Borkar, Advocate for the Respondent.

Coram : M. S. SONAK, J

Date : 17th February, 2021

P.C.

Heard Mr. C. Menezes D'Souza, learned counsel for the Petitioner and Mr. A. Borkar, learned counsel for the Respondent.

2. Mr. C. Menezes D'Souza on instructions from the Petitioner who is present in his chamber seeks leave to withdraw this petition with liberty to challenge the impugned order dated 29th March, 2019 by resort to the provisions of Section 105 of CPC, in case the suit is decided against the Petitioner and the Petitioner chooses to appeal such decree or even if the suit is decided in favour of the Petitioner but the Petitioner has occasion to file cross objections in the appeal to be instituted by the opposite party.

3. The request made by Mr. Menezes D'Souza is quite reasonable and is in fact not even opposed. Accordingly, the leave is

granted to withdraw this petition with liberty in the aforesaid terms.

4. This petition is disposed of with liberty as aforesaid.

M. S. SONAK, J

at*

TARI AMRUT
NAGESH

Digitally signed by TARI
AMRUT NAGESH
Date: 2021.02.20
12:39:14 +05'30'