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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10379 OF 2019**

Mr. Shaunak Rameshchandra Satpute and Ors. Petitioners.

V/s

Shri Mitharam Mahadu Gavale Respondent.

Mr. Avinash Fatangare i/b Ms. Vishakha V. Pandit for the Petitioners.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 15, 2021

P.C.:-

- 1] Motion is made on instructions for withdrawal of the Petition.
- 2] Petition stands disposed of as withdrawn.
- 3] However, Petitioner is at liberty to apply for issuance of witness summons under Order 16 of the CPC, to Mr. Deepak Thakre who is the only surviving witness to the agreement of which specific performance is sought. If such application is taken out, Trial Court shall deal with the same on its own merits without being influenced by dismissal of this Petition.

(NITIN W. SAMBRE, J.)