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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 8809 OF 2021

VIJAY SHAMRAO PATIL

....PETITIONER

V/s.

PRAMOD MARUTI SAWANT AND ANR

.....RESPONDENTS

Mr. Kuldeep U. Nikam Advocate for the Petitioner

Mr. Bhooshan A. Walimbe Advocate for the Respondents

CORAM : NITIN W. SAMBRE, J.

DATE: MAY 2, 2022.

P.C.:

- 1) On instructions, a prayer is made by counsel for the Petitioner Mr. Kuldeep Nikam for withdrawal of the present Petition so also R.C.S. No. 743/2017 pending on the file of Civil Judge Senior Division, Islampur.
- 2) Prayer is not objected by counsel for Respondent.
- 3) Petition stands dismissed as withdrawn so also Suit is disposed of as withdrawn.

4) However, withdrawal of present Petition will not act as an embargo on the right of the Petitioner for filing of the Suit for redemption of mortgage. If such Suit is brought in action, same be dealt in accordance with law without being influenced by the withdrawal of the present Application.

5) Civil Court shall pass consequential order of the conditional withdrawal of the Suit.

[NITIN W. SAMBRE, J.]