

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9211 OF 2022

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Mrs. Suman Shamrao Chavan ..Petitioner
Versus
Lalaso Ramchandra Bhosale & Ors. ..Respondents

Mr. Rahul S. Kate, for the Petitioner.
Mr. Rahul S. Kadam, for Respondent Nos.1, 4, 6 to 10 & 13.

CORAM : NITIN W. SAMBRE, J.

DATE : 10th NOVEMBER, 2022

PC.

1. In view of second position of law reflected in the judgment of this Court in the matter of *Mandabai Ramkrishna Tumsare and Ors. Vs. Ramlal Hiranmanji Hiwarkar and Ors.* reported in *1986 Mh.L.J. 643*, Mr. Rahul Kate, counsel appearing for the petitioner/original defendant No.4 makes a motion for withdrawal of the petition.

2. The petition as such stands disposed of as withdrawn.

3. However, since the petitioner's counterclaim is already pending, it is made clear that it shall be open for the petitioner to examine himself as an independent witness including on the claim put forth in the suit for partition.

[NITIN W. SAMBRE, J.]