

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1026 of 2022

[Hasmukhbhai Shivabhai Patel ..vs.. Sudhir Naredndra Bhiwapurkar]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. R. Saboo, Advocate for the petitioner

CORAM : ROHIT B. DEO, J.

DATED : 28-2-2022

This petition assails the order of the trial Court refusing permission to the petitioner-defendant to amend the written statement.

2. Mr. Saboo points out that the permission is refused on the premise that the remand restricts the right of the defendant to adduce evidence on comparative hardship.

3. However, Mr. Saboo further points out that in the meanwhile, the report and record of the evidence recorded is transmitted to the appellate Court.

4. In view of the developments, Mr. Saboo seeks leave to withdraw the petition, with permission to agitate the issue at the stage of final hearing of the appeal, by raising additional grounds in the memo of appeal.

5. The petition is disposed of as withdrawn with liberty as prayed.

JUDGE

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