

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2076 OF 2022**

Ramesh Sadashiv Gend ... Petitioner

vs.

Ajit Dinkarrao Deshmukh and anr ... Respondents

Mr. Yuvraj Narvankar for Petitioner.

Mr. Sandeep S. Salunkhe for Respondent No.1.

CORAM : SANDEEP V. MARNE, J.

DATED : 25 JANUARY, 2023

P.C. :-

1. The learned counsel for Petitioner on instructions seeks leave to withdraw the present Petition, but seeks a clarification from this Court that the Trial Court shall not be influenced by the observations made in the impugned order while deciding the Suit finally.

2. The observations made by the Trial Court and lower Appellate Court while deciding the temporary injunction are obviously, *prima facie* in nature, and the Trial Court cannot get influence by those observations while deciding the Suit finally.

3. With the above clarification, the Writ Petition is dismissed as withdrawn.

4. All contentions of the parties on merits are left open.

(SANDEEP V. MARNE, J.)