

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8597 OF 2019

Saraswati Plastic Turf
through Suraj C. Gujar & Anr.

.. Petitioners

Versus

State of Maharashtra & Ors.

.. Respondents

.....

- Mr. Suryajeet P. Chavan for Petitioners
- Mr. P.P. Pujari, AGP for Respondent Nos. 1 and 2
- Mr. A.B. Vagyani a/w K.S. Chindarkar and Mr. Prashant P. More i/by Deepa Vagyani for Respondent Nos. 3 and 4
- Mr. Mahendra Vasantrao Kore, Advocate in Miraj Court present.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 25, 2023

P.C.:

- 1.** Heard learned Advocates appearing for parties for sometime.
- 2.** Without entering into the merits of the matter, Mr. Chavan, learned Advocate for the Petitioners on obtaining instructions from Mr. Suraj C. Gujar who is present in Court, seeks leave to withdraw the present Writ Petition.
- 3.** Mr. Vagyani has submitted that during the pendency of the Writ Petition, Revision Application No. 336 of 2019 was also filed by the Petitioner in respect of maintaining a challenge to the same order which has also been dismissed. Be that as it may, Petitioners' right to challenge the order as also the impugned order, if so available in law is kept open in appropriate proceedings.

4. That apart on 11.01.2023, this Court had passed the following order:-

"1. Heard Mr. Chavan, learned Advocate for Petitioners; Mr. Pujari, learned AGP for Respondent Nos. 1 and and Mr. Vagyani, learned Advocate for Respondent Nos. 3 and 4.

2. Mr. Vagyani at the outset points out that in the notice dated 17.12.2022 the Advocate Mr. Mahendra Vasantryao Kore in paragraph No.5 has stated that this Court has given a stay order in the present Writ Petition and the same is continued till the date of the issuance of notice.

3. All learned Advocates appearing before me today submit that there is no such stay order passed by this Court.

4. Mr. Vagyani has brought to my notice two orders which are dated 11.11.2019 and 29.11.2019. There is no order passed by this Court in the present Petition granting stay.

5. Issue notice to Advocate Mr. Mahendra Vasantryao Kore. He is directed to remain present before this Court at 10:30 a.m. on the next date and explain his conduct in issuing the notice dated 17.12.2022. Respondents are directed to serve a copy of this order on Advocate Mr. Mahendra Vasantryao Kore.

6. Stand over to 18th January, 2023."

5. Today Advocate Mr. Mahendra Vasantryao Kore is present in the Court. He has tendered an affidavit dated 25.01.2023 seeking unconditional apology in respect of his conduct which has been noted in the above order. He has tendered his profused apology to the Court and stated that he shall never repeat the said act committed by him and that the same was due to the inadvertent mistake on his part. His apology is accepted by the Court by censuring him that he needs to be careful in future and conduct himself properly as an Advocate.

6. In view of the leave sought by Mr. Chavan to withdraw the Writ Petition, the same is dismissed as withdrawn.

[MILIND N. JADHAV, J.]