

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9110 OF 2022

Leena Rahul Tupe

....Petitioner

V/S

Rahul Ramdas Tupe

....Respondent

...

Mr. Yuvraj Narvankar for the Petitioner.

Mr. Prashant Aher, Ms. Sneha Ramnathan and Mr. Vipul Patil i/b
Mr. Shantibhushan M. Nirmal for Respondent.

...

CORAM : SANDEEP V. MARNE, J.

DATE : OCTOBER 04, 2023.

P.C.:

1 Mr. Narvankar, the learned Counsel appearing for the Petitioner, after taking instructions from Petitioner who is personally present in the Court seeks leave to withdraw the present Petition. He however submits that on account of the challenge raised by the Petitioner to the maintainability of the counter-claim as well as proceedings filed under the provisions of Order VII Rule 11 of the Code of Civil Procedure, 1908, the Petitioner has not been able to file a Written Statement. He would urge that while the present Petition is being withdrawn, the Petitioner may be permitted to file a Written Statement.

2 The learned Counsel appearing for the Respondent-husband fairly does not oppose the said prayer. Accordingly, the present Petition is

allowed to be withdrawn and disposed of. The Petitioner shall however be at liberty to file Written Statement to the counter-claim within a period of four weeks from today.

3 With the disposal of the Petition, the interim order shall stand vacated.

(SANDEEP V. MARNE, J.)