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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7935 OF 2023

Amey Prabhakar Gokhale and Anr. .. Petitioners

Versus

Pune Municipal Corporation and Ors. .. Respondents

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- Mr. Shailendra S. Kanetkar, Advocate for Petitioners.
 - Mr. Vishwanath Patil, Advocate for Respondent Nos.1a to 1d.
 - Mr. S.N. Chandrachud a/w. Mr. Suhas B. Rohile, Advocate for Respondent No.2.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2024.

P.C.:

1. Heard Mr. Kanetkar, learned Advocate for Petitioners; Mr. Patil, learned Advocate for Respondent Nos.1a to 1d and Mr. Chandrachud, learned Advocate for Respondent No.2 at length.

2. After hearing Mr. Kanetkar, learned Advocate for the Petitioner for some time, on instructions, he would submit that the Petitioners have given instructions to withdraw the present Writ Petition. In his usual fairness, he would submit that all contentions of the Petitioners be expressly kept open despite the fact that the present Suit has already been expedited by this Court, Petitioners intend to file Interim Application seeking deletion of the private Respondents. Petitioners are allowed to withdraw the present Writ Petition.

3. Be that as it may, if any Interim Application is filed by the Petitioners, if so permissible, the same shall be heard by the learned Trial Court on its own merits and strictly in accordance with law after hearing all concerned parties including the private Respondent. Considering that the Court has spent some time in hearing the present Writ Petition, Petitioner is directed to pay costs of Rs.5,000/- to the Kirtikar Law Library, High Court, Mumbai, which shall be paid by the Petitioners within a period of two weeks from today. Receipt of payment of costs shall be placed before the learned Trial Court for further consideration of the Suit proceedings.

4. With the above directions, Writ Petition is disposed.

[MILIND N. JADHAV, J.]

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