

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

WRIT PETITION NO. 9528 OF 2023

Zamber Maruti Kobal

.... Petitioner

Versus

Anadrao Vithoba Kobal And Ors.

.... Respondents

Mr. Nilesh Wable, for the Petitioner.

CORAM : MANJUSHA DESHPANDE, J.

DATE : 28th MARCH, 2024

P.C. :

1. In the aforesaid Writ Petition, the Petitioner has challenged the Order dated 10th April, 2019, passed by the Civil Judge Junior Division, Khed-Rajgurunagar, District Pune, below Exh-90, in Regular Civil Suit No. 87 of 2007. The said Application (Exh-90) was filed by the Petitioner for making amendment in the plaint, as provided under Order VI Rule 17 of the Code of Civil Procedure, 1908. The same was rejected by the learned Trial Court.

2. During the pendency of the present Writ Petition, wherein

the said Order 10th April, 2019, has been challenged, the Regular Civil Suit No. 87 of 2007 has been decided by the Civil Judge Junior Division, Khed-Rajgurunagar, District Pune, by its Judgment dated 11th October, 2023. Learned Advocate for the Petitioner tender a copy of the Judgment passed by the Trial Court. The same is taken on record and marked “X” for identification.

3. In view of the same, learned Advocate for the Petitioner seeks leave to withdraw present Writ Petition, with liberty to raise the grounds in the present Writ Petition in the Appeal, which the Petitioner proposes to file against the final disposal of the suit. Leave granted.

4. Writ Petition stands disposed of as withdrawn with aforesaid liberty.

MANJUSHA DESHPANDE, J.