



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.631/2019

Smt. Vinita Nivrutti Gadikar .Vs. Mahadeorao Govindrao Sonkusare and Ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. R. Bhishikar, Advocate for petitioner.

CORAM : ANIL L. PANSARE, J.

DATE : JANUARY 28, 2025

On 17.12.2024, following order was passed.

“1. By present petition, the petitioner – original plaintiff had questioned the order passed by the Trial Court directing the petitioner to value the suit claim and to pay the deficit court fee.

2. The learned counsel for respondents submits that while application was filed to restore the petition, the petitioner had suppressed the fact that vide order dated 27.09.2019, the suit itself was dismissed. He further submits that had this fact been disclosed, the petition itself would not have been restored because dismissal of suit would make the petition infructuous inasmuch as the petition assails the order passed by the Trial Court to value the suit and deposit the deficit court fee.

3. The learned counsel for petitioner seeks time to take instructions.

4. Time granted. List the matter in the week commencing from 20.01.2025.”

2. Counsel for petitioner, on instructions, seeks permission to withdraw the petition to avail appropriate remedy as is available in law. A pursis to that effect is tendered across the bar.Taken on record.

3. Permission is granted.

4. The writ petition is disposed of as withdrawn with liberty as prayed for.

(Anil L. Pansare, J.)