

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).14608/2012

(From the judgement and order dated 27/01/2012 in CRA No.381/2011 of The HIGH COURT OF BOMBAY)

MANDAKINI J. TATNIS

Petitioner(s)

VERSUS

UMA NARENDRA KAIKINI & ORS.

Respondent(s)

(With prayer for interim relief)

Date: 12/09/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

Mr. Vinod Bobde, Sr. Adv.
Mr. Rajendra V. Patil, Adv.
Ms. Bina R. Pai, Adv.
Ms. Kamna Sagar, Adv.
Mr. Shivaji M. Jadhav, Adv.

For Respondent(s)

Mr. Ashok Bhan, Sr. Adv.
Dr. Kailash Chand, Adv.
Mr. Ashish Bhan, Adv.
Mr. N.S. Arora, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. Vinod Bobde, learned senior counsel appearing for the petitioner submits that it has been agitated specifically before the High Court that the amendment Act 22 of 1978 to The Bombay Rents, Hotel and Lodging House rates Control Act, 1947 has changed the legal position and in support of the submissions, a very heavy reliance had been placed by the learned counsel for the petitioner appearing before the High Court on the judgment of this Court in Vasant Pratap Pandit Vs. Dr. Anant Trimbak Sabnis 1994(3) SCC 481. However, in the judgment, the High Court has not dealt with this issue.

In view thereof, Mr. Bobde, learned counsel prays for permission to withdraw the special leave petition. Permission is granted. The special leave petition is dismissed as withdrawn with a liberty to the petitioner to file a review petition before

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the High Court. In case such a review petition is filed, the High Court may consider it in accordance with law.

	(DEEPAK MANSUKHANI)		(M.S. NEGI)	
	Court Master		Court Master	