

GRACE INVESTMENTS CORPORATION, represented by its President, CHRISTIAN D. MAXWELL, Petitioner, v. **HIS HONOUR FRANCIS N. PUPO, SR.**, Presiding Judge, Debt Court for Montserrado County, and **DANOFF ENGINEERING COMPANY LIMITED**, represented by its Director, **DANIEL Y. OFFE**, Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE DEBT COURT FOR
MONTSEERRADO COUNTY.

Decided: January 11, 1983.

These certiorari proceedings have emanated from the debt Court for Montserrado County. However, at the call of the case for the hearing of the petition, both the petitioner and respondents informed the Court that they have reached a compromise on the debt action out of which the petition grew. Accordingly, the petitioner withdrew the petition for the certiorari, and there being no resistance from the respondent, the Court ordered the petition stricken from the docket.

Christian D. Maxwell appeared for petitioner. Julius Adighibe appeared for respondents.

SMITH, J., presiding in chambers When this certiorari proceeding was called for hearing, Counsellor Christian D. Maxwell appearing for the petitioner informed Court that because the petitioner and respondents had met and reached a compromise, in which case Co-respondent Danoff Engineering Company Limited had agreed to withdraw the debt action out of which this proceeding grew, the petitioner had on the 4th day of January, 1983, filed a notice of withdrawal of the petition for a writ of certiorari. Counsellor Julius Adighibe, appearing for the respondents, also took the stand and informed Court of the acknowledgment by respondents of the notice of withdrawal and confirmed the submission of the petitioner's counsel. Petitioner's notice of withdrawal reads as follows:

NOTICE OF WITHDRAWAL

"The above named petitioner respectfully begs leave of this Honourable Court to withdraw its writ of certiorari filed in this case and showed there for the following, to wit:

1. That the plaintiff in the main debt action has agreed to withdraw the complaint and with it the entire action without reservation.

Wherefore, and in view of the foregoing, petitioner respectfully prays this Honourable Court for leave to withdraw the certiorari proceeding pending before Your Honour."

In view of the above quoted notice of withdrawal, the certiorari proceeding as instituted by the petitioner is ordered stricken from the docket of this Court with costs against the petitioner. And it is hereby so ordered.