

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1404 OF 2015

SHAIKH NASIROODIN AHEMODDIN, JAHEDA PETITIONERS
BEGUM SLAUDDIN (DIED)
THROUGH LR'S

VERSUS

SHAIKH DALILODDIN S/O TAMIJODDIN (DIED) RESPONDENTS
AND OTHERS

Mr.Qureshi S.Abdul Gafar, Advocate for the petitioners.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 17/02/2015

PER COURT :

1. The petitioners Shaikh Nasiruddin and Jaheda Begum (Now deceased) were the original plaintiffs in RCS No.316/1987. Same was dismissed in default on 28/11/1994. Misc.Appl.No.26/1995 was filed on 22/03/1995. Same was also dismissed in default on 30/10/2014. Rather than preferring an application for restoration alongwith condonation of delay application, the petitioners have preferred this writ petition.

2. The petitioners, therefore, seek leave to withdraw this petition in order to avail the remedy of seeking restoration alongwith application for condonation of delay in connection with M.A.No.26/1995 dismissed

in default on 22/05/1995.

3. In the light of the above statement, the petition is dismissed, as withdrawn, with liberty to avail of the legal remedy as prayed for. The time spent by the petitioners in this Court from 14/01/2015 till this date of passing of the order, shall be a ground for condonation of delay.

(RAVINDRA V. GHUGE, J.)