

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CIVIL APPLICATION NO. 11985 OF 2014
(for intervention)

WITH
CIVIL APPLICATION NO. 12167 OF 2014
(for condonation of delay in filing review application
(stamp) No. 32484 of 2014)

Aasifoddin Moinuddin Shaikh and others	...	Applicants
vs		
Grampanchayat Sulibhanjan Nandrabad and others	...	Respondents

Mr. Shaikh A. T. Patel, Advocate for applicants
Mr. A.D. Kasliwal, Advocate for petitioner in W.P.
Mrs. A. N. Ansari, Advocate for respondent No.1 in W.P.

WITH
CIVIL APPLICATION NO. 4095 OF 2015
(by respondent no. 1 in WP for stay)

Faiz Mohammed Hafiz Gayasoddin	...	applicant
vs		
Assifoddin Moinuddin Shaikh and ors.		Respondents

Mrs. A.N. Ansari, Advocate for applicants
Mr. A.T. Patel, Advocate for respondent no.1-caveator
Mr. A.D. Kasliwal, Advocate for petitioner in W. P.
Mr. D.B. Bhange, Assst.Govt. Pleader for respondents no. 2

CORAM : SUNIL P. DESHMUKH, J.
DATE : 5TH MAY, 2015

ORDER

1. In view of application filed by applicants in civil application no. 11985 of 2014, in the matter bearing regular civil suit no. 305 of 2014 pending before learned Civil Judge, Senior Division, Aurangabad, under Order I, Rule 10(2) of the Code of Civil Procedure, 1908, they seek leave to withdraw civil application no. 11985 of 2014 for intervention, recall of the order dated 2-9-2014

in writ petitions no. 7466 of 2014 and 7174 of 2014 and modification of said order, with liberty to prosecute application filed by them before the trial court.

2. Leave granted. Civil application no. 11985 of 2014 is allowed to be withdrawn with liberty to prosecute the application referred to above, before the trial court which shall be decided by trial court on its own merits without being influenced by orders passed by this court in the writ petition.

3. Interim relief, if any, in review application (stamp) no. 32484 of 2014 granted earlier, shall cease to operate.

4. In view of withdrawal of civil application no.11985 of 2014, civil application no.4095 of 2015 filed by original respondent no.1 in writ petition seeking stay of the order dated 5-12-2014 passed in review application (stamp) no.32484 of 2014 does not survive and stands disposed of accordingly.

5. Consequently, civil application no. 12167 of 2014 seeking condonation of delay in filing review application (stamp) no.32484 of 2014 and said review application (stamp) no. 32484 of 2014 stand disposed of as not pressed.

SUNIL P. DESHMUKH, J.

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