

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6222 OF 2015

Vishal Madhukar Maule : Petitioner
versus
Madhukar Vitthal Maule and ors. : Respondents.

Mr. V A Shastry for the Petitioner.
Mr. Prashant P More I/by Mr. M S Athalye for the Respondent Nos. 1 and 2.
Ms. Yogita M Deshmukh i/by Mr. M M Sathaye for the Respondent No.3.
Mr. Tushar N Sonawanne for the Respondent No.4.

CORAM : R. M. SAVANT, J.
DATE : 31st August 2015

P.C.

1 In view of the fact that by impugned order the plaint has been rejected, the Petitioner would have to adopt the remedy by way of First Appeal. The above Writ Petition is therefore not maintainable. The Petitioner is allowed to withdraw the above Writ Petition with liberty to adopt remedy by way of First Appeal. In the event the issue of limitation arises, the fact that the Petitioner was prosecuting the above Writ Petition can be urged by the Petitioner before the concerned Court.

[R.M.SAVANT, J]