

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.540 OF 2015
IN
WRIT PETITION NO.5574 OF 2014**

Suresh Jingonda Patil

..Applicant

Vs.

Alka Babasaheb Patil & Ors.

..Respondents

Mr. G. M. Savagave for the Applicant

**CORAM : R. M. SAVANT, J.
DATE : 13th MARCH, 2015**

P.C.

1 The above Civil Application has been filed seeking amendment of the above Writ Petition which is at the pre-admission stage. The above Writ Petition challenges the order dated 5-3-2014 passed by the Learned District Judge-1 Jaysingpur. It is thereafter that the application Exhibit 20 under Order XLI Rule 19 came to be filed which has been dismissed by an order dated 18-3-2014 by the Learned District Judge-1 Jaysinghpur in Misc Civil Appeal No.49 of 2013. It is not necessary to permit the Applicant to amend the above Petition as against the order dated 18-3-2014, an Appeal would lie under Order XLIII of the Civil Procedure Code. The Learned Counsel for the Applicant/Petitioner therefore seeks leave to withdraw the above Petition to file an Appeal From Order challenging the order dated 18-3-2014. The Petition is accordingly

allowed to be withdraw with liberty as prayed for.

2 In view of the withdrawal of the above Petition, the above Civil Application does not survive and is disposed of as such.

[R.M.SAVANT, J]