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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7613 OF 2014

Shri Jagdish Baburao Agarwal .. Petitioner

Vs.

The Commissioner,
Sangli Miraj and Kupwad
Municipal Corporation, Sangli & others .. Respondents

Mr.Ashutosh M.Kulkarni, Advocate for the Petitioner.
Mr.G.H.Keluskar, Advocate for Respondent No.1.
Mr.Ajay Magdum i/b Mr.S.S.Patwardhan, Advocate for Respondents
No.2 to 8.

CORAM : R. G. KETKAR, J.
DATE : 08th JULY, 2015

P.C. :

Heard Mr.Ashutosh M.Kulkarni, learned Counsel for the petitioner, Mr.G.H.Keluskar, learned Counsel for respondent No.1 and Mr.Ajay Magdum, learned Counsel for respondents No. 2 to 8.

2. By this Petition under Article 227 of the Constitution of India, petitioner has challenged the judgment and order dated 08/07/2014 passed by the learned Ad-hoc District Judge-1, Sangli below Exhibit 7 in Regular Civil Appeal No.107 of 2014. By that order, the learned District Judge dismissed the application taken out by the petitioner under Order 39, Rules 1, 2 r/w Section 151 of the Code of Civil Procedure, 1908.

3. In view of Section 106 of C.P.C, petitioner will have to institute Appeal From Order. Mr.Kulkarni, therefore, seeks permission to withdraw this Petition with liberty to institute Appeal From Order. On the motion made by Mr.Kulkarni, Petition is allowed to be withdrawn with liberty as prayed for.

4. It is made clear that I have not examined merits of the matter and all the contentions of the parties in that regard are expressly kept open.

(R. G. KETKAR, J.)