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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**CRIMINAL WRIT PETITION NO.696 OF 2016**

Mahavir Civil Engineering  
& Service Pvt. Ltd.  
Through its Director  
Shri Vijaykumar Kapurchand  
Kotecha, age 77 years,  
Occ: Business,  
R/o. Shikshak Wadi, near  
Ring Road, Jalgaon.

..PETITIONER

VERSUS

Jitendra Champalal Kankariya,  
Age: 47 years, Occ: Business,  
R/o. 110 Gandhi Nagar, Jilha  
Peth, Jalgaon, c/o Jalsa Hotel,  
Akashwani Chowk, Jalgaon & anr

..RESPONDENTS

Mr G.V. Wani, Advocate for petitioner;  
Mr N.R. Thorat, Advocate for respondent No.1  
Mr R.V. Dasalkar, A.P.P. for respondent No. 2

**CORAM : N.W. SAMBRE, J.**

**DATE : 26th August, 2016**

**ORDER :**

Learned Counsel for the petitioner, upon instructions, makes motion for withdrawal of the writ petition, with liberty to canvass his grievance, as the suit is already dismissed for want of prosecution, for persuading the issue as

(2)

regards initiating action under Section 191 and 193 of the Indian Penal Code against respondent No. 1 for giving false evidence in Regular Civil Suit No. 318 of 2014.

2. Motion is granted.

3. Criminal Writ Petition stands dismissed as withdrawn, with liberty as prayed.

**(N.W. SAMBRE, J.)**

Tupe