

**IN THE HIGH COURT OF BOMBAY AT GOA**

WRIT PETITION NO. 251 OF 2016

SUNANDA SHANTARAM NAIK 8 ORS., ... Petitioners  
Versus  
SMT. MALAVA GIDAPPA HARIJAN AND ... Respondents  
ANR.,

Mr. S. M. Singbal, Advocate for the petitioners.  
Mr. Ashwin D. Bhobe, Advocate for the respondent nos.1 and 2(b).

Coram:- C. V. BHADANG, J.

Date:- 26th August, 2016

P.C.

The learned Counsel for the petitioners, on instructions, seeks permission to withdraw the petition as the petitioners intend to file an appeal under Order XLIII of the Code of Civil Procedure, against the impugned order.

2. The Writ petition is, accordingly, dismissed as withdrawn, with liberty as prayed. If the petitioners file such an appeal along with application for condonation of delay, the District Court shall have due regard to the provisions of Sections 5 and 14 of the Indian Limitation Act.

3. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

SMA