

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

WRIT PETITION NO.1393 OF 2014

Sou. Kamlabai Jaiwant Waghmare
since deceased through heirs
Bharatibai Biru Pandhare & Ors. Petitioners
Versus
Nanda Shavrappa Koli & Ors.Respondents
....
Mr. R. S. Alange for the petitioner.
Mr. Anand Kulkarni for the respondents.

...
CORAM : N. M. Jamdar J.
Tuesday 23 AUGUST, 2016

P. C.

. The learned counsel for the petitioner states that the power of superintendence of court is wrongly invoked as second appeal is maintainable against the impugned order and seeks leave to withdraw the present petition to file a second appeal.

2. The writ petition is accordingly disposed of as withdrawn.

3. Considering the fact that the order impugned was passed on 7 January, 2014 and the writ petition was filed on 3 February, 2014, if the second appeal is filed within a period of four weeks from today, condonation of delay in filing second appeal be favourably considered.

(N. M. Jamdar, J.)