

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1105 of 2014
(Shri Shankar s/o Ganpat Sarode v. Smt. Parwatabai w/o Narayanrao
Gathe and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri S.A. Radke, Advocate for Petitioner.
Shri P.S. Subhedar, Advocate for Respondent No.1.
Shri S.K. Bhoyar, Advocate for Respondent No.3.

Coram : R.K. Deshpande, J.

Date : 16th November, 2016

The learned counsels appearing for the respondents have raised an objection that this writ petition is not maintainable for the reason of existence of alternate efficacious remedy of filing second appeal under Section 100 of the Code of Civil Procedure.

The learned counsel for the petitioner seeks permission to withdraw this petition in view of the aforesaid objection with liberty to file second appeal.

Hence, the petitioner is permitted to withdraw the present petition with liberty to file second appeal.

The petition is dismissed as withdraw with liberty, as aforesaid.

Judge.

Lanjewar