

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

WRIT PETITION NO. 8760 OF 2017

MUKUND PANDURANG WALIMBE

...PETITIONER

VERSUS

TEJASWINI MOHANLAL GANDHI AND OTHERS

...RESPONDENTS

Mr. A. M. Gholap, Advocate for the petitioner.

Mr. L. B. Palod, Advocate for the respondent No.1.

CORAM : SUNIL P. DESHMUKH, J.

DATE : 24th JULY, 2017

PER COURT :

1. Learned counsel for the petitioner in view of the full bench judgment of this court dated 21-01-2013 in the case of *Bhartiben Shah Vs. Smt. Gracy Thomas and Others*, concedes to the position that revision may lie before District Court, instead of writ petition.
2. In the circumstances, he seeks leave to withdraw the writ petition with liberty to file appropriate proceeding, before proper forum.
3. Leave granted.

4. Petition stands disposed of as withdrawn with liberty to file appropriate proceeding before proper forum.
5. Needless to state that the time spent in prosecuting writ petition may have to be given its due while computing delay.

(SUNIL P. DESHMUKH, J.)

vjg/-