

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3731 OF 2014

Mukesh Mulchanda Chondiyе = **PETITIONER**

VERSUS

Shaikh Maheboob Shaikh
Ahmed and another = **RESPONDENTS**

Mr.S.S.Bhapkar, Advocate for Petitioner;
Ms.A.N.Ansari, Advocate for Respondent No.1.

CORAM : SUNIL P.DESHMUKH, J.

DATE : 18th December, 2017.

PER COURT :

1) Heard learned Counsel for the parties.

It transpires that pursuant to Order XLIII of Code of Civil Procedure, an appeal is provided.

In the circumstances, on instructions, learned Counsel for the petitioner, seeks leave to withdraw writ petition to enable him to file appropriate proceeding before proper forum.

2) In the circumstances, leave is granted.

Writ petition is disposed of as withdrawn.

3) It is made clear that the period

consumed during pendency of writ petition be given appropriate treatment pursuant to the provisions of the Limitation Act, in case it comes to condonation of delay.

(SUNIL P.DESHMUKH)
JUDGE

bdv/