

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

**CIVIL APPLICATION NO.296 OF 2016
IN
WRIT PETITION NO.1545 OF 2013**

Kumar Sonaji Jagdale

...Applicant

Versus

Shri Bhairavnath Dnyan Prasarak
Mandvile & Ors.

...Respondents

.....

Mr. S.V. Pitre for the Applicant.

Mr. A.A. Alaspurkar, AGP for the Respondent Nos.3 to 5.

CORAM : B.R. GAVAI &

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 4th OCTOBER, 2017.

P.C.:-

The learned counsel for the Applicant seeks leave to withdraw the application so as to take recourse to the remedy available in the ordinary law.

2. Taking into consideration the fact that the Applicant was bonfide prosecuting the erroneous remedy, he will be entitled under Section 14 of the Limitation Act for the period during which the Civil Application was pending before this Court.

3. The Civil Application is dismissed as withdrawn.

(ANUJA PRABHUDESSAI, J.)

(B.R. GAVAI, J.)