

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1422 OF 2017**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Nikhil Wadekar i/b. Nandu Pawar,
Advocate for Petitioner.

CORAM : R. G. KETKAR, J.

DATE : 02/02/2017

P.C.:

1. Not on board. At the request of Mr.Wadekar taken up in the production board.
2. Heard Mr.Nikhil Wadekar, learned Counsel for the petitioner.
3. By this Petition under Article 227 of the Constitution of India, the petitioner, hereinafter referred to as the 'judgment debtor' has challenged the judgment and order dated 6.9.2016 passed by the learned Civil Judge, Senior Division, Satara in Review Application No.1/2013. By that order, the learned trial Judge allowed the application filed under Section 114 read with Order XLVII of C.P.C. for review of the order dated 21.11.2012 passed in Misc. Diary Application No.15/2005.
4. Mr. Wadekar seeks permission to

withdraw this Petition with liberty to file Misc. Civil Appeal / Appeal From Order as per Order XLIII Rule 1(w). Order XLIII Rule 1(w) provides for an appeal against an order under Rule 4 of Order XLVII granting an application for review.

5. In view thereof, on the motion made by Mr. Wadekar, the Petition is allowed to be withdrawn with liberty as prayed for. It is made clear that I have not examined the merits of the case. Time spent by the petitioner in prosecution this Petition from 20.12.2016 till today shall be excluded while considering the application for condonation of delay. Registry is directed to return the certified copies filed by the petitioner. Order accordingly.

(R. G. KETKAR, J.)