

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

2 WRIT PETITION NO. 2924 OF 2015

TIKAMDAS RADHAKISHAN TEKWANI
VERSUS
ASHOK PRUSHOTTAM DESHMUKH AND OTHERS

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Advocate for Petitioner : Mr Hawale Atul B.

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CORAM : V.K. JADHAV, J.
Dated: January 25, 2018

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PER COURT :-

1. The learned counsel for the petitioner, on instructions, seeks leave to withdraw this writ petition with liberty to file an application before the Trial Court for framing of an additional issue as to the limitation.
2. Leave granted.
3. It appears from paragraph no.12 of the impugned order that trial court has observed that issue of limitation is kept open for framing at an appropriate stage. In view of the above, the petitioner is at liberty to file an application for framing of an additional issue of limitation and in the light of the observations made in paragraph no.12 of the impugned order, the trial court may consider the same.
4. Writ Petition is disposed of as withdrawn with the liberty as aforesaid. No costs.

(V.K. JADHAV, J.)

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