

IN THE HIGH COURT OF JUDICATURE AT
BOMBAY,
BENCH AT AURANGABAD.

35 WRIT PETITION NO. 3792 OF 2018

GANESH ISHWARAPPA GAWARE
VERSUS
OMPRAKASH DEVAKINANDAN BRIJWASI

...

Advocate for Petitioner : Mrs. Anjali Dube (Bajpai).
Advocate for Respondent: Mr. B. R. Kedar.

...

CORAM : **V. L. ACHLIYA, J.**
DATE : 16th April, 2018.

ORDER:

. Mr. B. R. Kedar, learned counsel for Respondent objected the maintainability of the petition with contention that the Petitioner have an alternate remedy by way of revision under Section 115 of the Code of Civil Procedure to challenge the impugned order.

2 In view of the objection raised, the learned counsel for the Petitioner seeks leave to withdraw the petition with liberty to file revision petition. Allow to withdraw with liberty as prayed for. Writ petition be marked as disposed of as withdrawn.

3 Since the Petitioner was prosecuting the remedy before this Court under believe that the impugned order can be challenged by

way of writ petition and there is no alternate remedy, the delay, if any, occurred in filing the revision petition, may be taken in to account while dealing with the application seeking condonation of delay.

[V. L. ACHLIYA, J.]

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