

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

WRIT PETITION NO.2018/2009
WITH
CIVIL APPLICATION NO. 3113 OF 2015
IN WP/2018/2009
WITH
CA/4174/2011 IN

DEVIDAS GOVINDRAO PATIL L.RS. VIJAY DEVIDAS PATIL
JADHAV AND ORS
VERSUS
CHANDRASEN BHUJANGA GHODKE AND OTHERS

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Advocate for Applicants : Mr B R Warmaa

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CORAM : V.K. JADHAV, J.
Dated: March 26, 2018

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PER COURT :-

1. Learned counsel for the petitioners/original plaintiffs seeks leave to withdraw this writ petition for the reason that because of deletion of certain issues by the trial court, the petitioners/original plaintiffs have preferred present writ petition and, because of the interim relief obtained by the petitioners/original plaintiffs, further proceedings of the suit which is instituted for possession are now stayed.

2. Learned counsel submits that the present petition would not be taken up for hearing for want of bringing legal representatives on record, etc., in a short period. Learned counsel submits that, the petitioners/plaintiffs may be

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granted a liberty to challenge the said deletion of the issues in the appeal, in case, if occasion so arises before the trial court while disposing of the suit.

3. In view of the above submissions, leave granted.

4. Writ Petition is disposed of as withdrawn. In case, the trial court has drawn certain adverse inference due to deletion of the certain issues, petitioners being plaintiffs are always at liberty to challenge the same in the appeal before the first appellate court, for which no specific liberty is required to be granted. Writ petition is disposed of as withdrawn. No costs. Pending civil applications also stand disposed of.

(V.K. JADHAV, J.)

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