

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

WRIT PETITION NO. 13791 OF 2018

Satpalsing s/o Kishansing Nalevale ... Petitioner

Versus

Zinat Begum w/o Mirza Akhtar Baig
& others ... Respondents

Mr. S.S. Gangakhedkar, Advocate for the Petitioner.

Coram : N.M. Jamdar, J.

Date : 12 December 2018

Per Court :

1. Learned counsel for the petitioner submits that when the application was filed for deletion of name of petitioner from the title of the claim petition, various decisions of the Apex Court could not be pointed out to the learned Civil Judge. It is because the petitioner had sought to delete himself from the array of parties, the learned Civil Judge had to consider the application. Learned counsel for the petitioner states that since the claim petition is pending, the petitioner will advance further arguments at the time of hearing of the petition and, seeks leave to withdraw the instant writ petition.

2. Considering the fact that the claim petition is still pending and that the order passed is an interlocutory order and if the petitioner is able to persuade the learned Tribunal to take a different view based on the legal position which the petitioner seeks to contend in this Court, it is open to the petitioner to advance such contention.

3. Writ petition is disposed of as withdrawn.

N.M. Jamdar, J.