

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 611 OF 2018

MANGILAL MANIKCHAND PHULFAGAR
VERSUS
AURANGABAD MUNICIPAL CORPORATION
THROUGH THE COMMISSIONER AND ANOTHER

Advocate for Petitioner : Shri P.P. Mandlik.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 05th February, 2018

PER COURT :

1. This matter is heard for some time.
2. Learned counsel for the petitioner submits, on instructions, after seeking a pass-over, that the petitioner desires to withdraw this petition with liberty to resort to an appropriate remedy as may be permissible in law.
3. Considering the above, this petition is disposed of as withdrawn, on instructions. It is, further, made clear that though the petitioner may choose a remedy as may be permissible in law, the petitioner would be precluded from reopening the issue that is settled by the impugned order at Exhibit 26. In the event of the petitioner or any litigating side, desires to file an application under Order XXXIX Rule 7 or under Order XXVI Rule 9 of the C.P.C., after

recording of oral evidence, the Trial Court would consider such an application on its own merits.

(RAVINDRA V. GHUGE, J.)

S.P.C.