

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2137 OF 2018.
IN
CIVIL APPLICATION NO. 39 OF 2018
IN
WRIT PETITION NO. 3453 OF 2011**

Vithu Hira Mahar (More) @ Vithu Pandu
Sonawane (Deceased through Lrs.)
Ganpati Vithoba Waghlikar @ Ganapati Vithu
Sonawane & Ors. ... Applicant.

In the matter between :

Vithu Hira Mahar (More) @ Vithu Pandu
Sonawane (Deceased through Lrs.)
Ganpati Vithoba Waghlikar @ Ganapati Vithu
Sonawane & Ors. ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Mr. C. N. Chavan, Advocate for the Applicant in CA No. 2137 /
2018.

Mr. A.P. Vanarase, AGP for the State.

CORAM : K.K. TATED & N.J. JAMADAR,JJ.

DATE : DECEMBER 18, 2018.

PC :

1 Heard the learned counsel for the Applicant and the
learned AGP for the State.

2 The learned Advocate for the Applicant submits that by mistake they have filed the present civil application i.e. CA No. 2137 of 2018 for bringing legal heirs of Respondent Nos. 3, 4 and 7 on record. He submits that the Applicant may be permitted to withdraw the present civil application with liberty to file afresh for the same cause of action. To that effect, he has given in writing. The same is taken on record and marked "X" for identification. The same is accepted.

3 Civil Application No. 2137 of 2018 stands disposed of as withdrawn with liberty to file afresh for the same cause of action.

(N.J. JAMADAR, J.)

(K. K. TATED, J.)

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