

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****WRIT PETITION NO. 3637 OF 2018**

BEST Undertaking

....Petitioner.

Vs.

Shri. Rajesh L. Shah and ors.

....Respondents.

Mr. P. Mishra I/by M.V.Kini and Co. for the Petitioner.

Mr. C.K.Pendse i/by GMS Legal for Respondent Nos. 1.

Smt.Rutuja Ambekar, APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 31st AUGUST, 2018.****P.C.:-**

1. At the out set the learned counsel for respondent Nos. 1 and 2 raised a preliminary objection that, the applicant is having substantive alternate remedy by way of appeal against the impugned Judgment and Order dated 27.6.2018 passed by the learned Special Judge in Electricity Special Case No.20 of 2010.

2. In view thereof, the learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to file a substantive appeal as may be advised.

3. Leave and liberty granted.

4. It is needless to mention that the petitioner will get benefit of

Section 14 of the Limitation Act.

5. Disposed off with the aforesaid liberty.

(A.S. GADKARI, J.)