

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12484 OF 2017**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Amitkumar Sale, Advocate for Petitioner.

CORAM : R. G. KETKAR, J.

DATE : 14/06/2018

P.C.:

1. Heard Mr.Amit Sale, learned Counsel for the petitioner.
2. Mr. Sale fairly states that against the impugned order, the petitioner has to institute substantive Second Appeal in this Court. In fact in pursuance of order dated 7.12.2017, he has taken instructions. He, therefore, seeks permission to withdraw this Petition with liberty to file Second Appeal.
3. In view thereof, on the motion made by Mr.Sale, Petition is allowed to be withdrawn and is disposed of as such with liberty to file Second Appeal against the impugned order. Time spent by the petitioner in prosecuting this Petition from 8.12.2016 till date shall be excluded while considering the aspect of condonation of delay. It is made clear that I have not examined the merits of the case. Order accordingly.

(R. G. KETKAR, J.)