

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

**CIVIL APPLICATION (ST.) NO. 33564 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 Wagholikar @ Ganapati Vithu
Sonawane & Ors. ... Applicant.

In the matter between :

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

V/s.

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

Mr. C. N. Chavan, Advocate for the Applicant in CA (st.) No.
33564 / 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 After arguing for some time, when this court pointed out that the prayers made in the present civil application i.e. CA (st.) No. 33564 of 2018 are defective, the learned counsel for the Applicant seeks permission to withdraw the said 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 (st.) No. 33564 of 2018 stands disposed of as withdrawn with liberty to file afresh for the same cause of action.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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