

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5524 OF 2017

(BABAN TULSHIRAM BUDHE & OTH...VS.. DEPUTY COLLECTOR, BHANDARA & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S.Tidke, Advocate for Petitioners.
Ms H.N.Prabhu, A.G.P. for Respondent No.1.

CORAM : Z.A.HAQ, J.

DATED : FEBRUARY 20, 2018.

Heard.

Ms H.N.Prabhu, Assistant Government Pleader has pointed out the judgment given by this Court in the case of *Dr.Abhay Laddulal Shah Vs. Udaykumar Radhakisan Dubey & Ors.*, reported in **2016(4) ALL MR 732** and has argued that the petitioners have alternate remedy under Section 96 of the Code of Civil Procedure.

In view of the objection raised on behalf of the respondent No.1, the learned advocate for the petitioners seeks permission to withdraw the writ petition with liberty to avail the alternate remedy.

The writ petition is **disposed** as withdrawn with liberty as prayed for. In the circumstances, the parties to bear their own costs.

JUDGE