

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**928 CIVIL APPLICATION NO.486 OF 2018
IN WP/12913/2017**

KISAN SHRIRAM DESHMUKH
VERSUS
ANIKHODDIN RASHIDODDIN QUAZI AND OTHERS

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Advocate for Applicant : Mr. Kasliwal Ajit D.
AGP for Respondents : Mr. S.D. Ghayal
Advocate for Respondent Nos. 4 & 5 : Mr. R.N. Chavan h/f
Mr. V.A. Bagdiya

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**CORAM : P.R. BORA, J.
DATED : 27th March, 2019.**

PER COURT:-

1. The present civil application is filed by the present applicant apprehending that the original petitioner namely Anikhoddin Rashidoddin Quazi may suddenly withdraw the present petition. It is the grievance of the present applicant that respondent no. 4 has permitted the FL-III licenced shop of respondent no.5 to be shifted in the residential area where he is the residing. The applicant, therefore, intends to oppose the existence of the shop in the residential locality.

2. In view of the allegation made, I made a query with the learned counsel appearing for the petitioner whether the petitioner is intending to continue with the

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petition, it is contended that the petitioner intends to pursue the petition and the allegation made against him that he is likely to withdraw the petition is absolutely false. In the circumstances, I see no reason to allow the present application. The application stands dismissed.

3. It is clarified that, if any such contingency arises as apprehended by the present applicant, he is not precluded from initiating a separate proceeding for redressal of his grievance.

4. The learned counsel for the petitioner undertakes to supply the copy of the amended petition within two days. List the petition for further consideration on 04.04.2019.

(P.R. BORA, J.)

Mujaheed//