

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1078/2013

Rajaram Tukaram Chavan & Ors. ... Petitioners

V/s.

Suresh Maruti Chavan & Ors. ... Respondents

Mr. S. S. Kulkarni for the Petitioners
Mr. Rajesh S. Patil for Respondent No.1.

CORAM: K.K. TATED, J.

DATED : JANUARY 8, 2019

P.C. :

1 Heard. The learned counsel for the Petitioner submits that an appeal is maintainable against the impugned order, however, by mistake they filed the Writ Petition. He further submits that the Petitioner may be permitted to withdraw the Writ Petition with liberty to take out appropriate proceedings. He further submits that this court has granted ad-interim relief on 16.04.2013 in terms of prayer clause (b-1) which reads thus:

“(b1) Pending the hearing and final disposal of abovesaid petition further proceedings in Regular Darkhast No.11/2012 pending on the file of Ld.C.J.J.D., Khandala, Dist. Satara be kindly stayed.”

2 The learned counsel for the Petitioner submits that the said ad-interim relief may be continued for some time. To that effect, he has given in writing. Same is taken on record and marked “X” for identification.

3 Considering the submissions made by the learned counsel for the Petitioner, following order is passed:

- a. The Writ Petition stands disposed of as withdrawn with liberty as prayed for. No order as to costs.
- b. Ad-interim relief granted by this court on 16.04.2013, as reproduced hereinabove, to continue till 31.01.2019.

(K. K. TATED, J.)