

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE SIDE JURISDICTION**  
**WRIT PETITION NO.1838 OF 2019**

|                                         |   |             |
|-----------------------------------------|---|-------------|
| Babusing Ramsing Rajput and others.     | ] | Petitioners |
| Vs.                                     |   |             |
| Gram Panchayat Prayag Chikhali          | ] |             |
| Tal. Karveer, Dist, Kolhapur            | ] |             |
| Through its Village Development Officer | ] |             |
| (Gram Sevak) and another.               | ] | Respondents |

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Mr. Rahul Kadam, learned Counsel for the petitioners.

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**CORAM : R.G. KETKAR, J.**

**DATE : 11<sup>th</sup> FEBRUARY, 2019.**

**P.C.**

Heard Mr. Kadam, learned Counsel for the petitioners.

2. By this Petition under Article 227 of the Constitution of India, the petitioners, hereinafter referred to as “plaintiffs” have challenged the judgment and order dated 19<sup>th</sup> January, 2019 passed by the learned District Judge-7, Kolhapur in Misc. Civil Appeal No.88 of 2018. By that order, the learned District Judge allowed the appeal preferred by the respondents and set aside the order dated 9<sup>th</sup> January, 2018 passed by 6<sup>th</sup> Joint Civil Judge, Senior Division, Kolhapur below Exhibits 5 and 13 in R.C.S. No.1044 of 2017. The learned District Judge dismissed the applications Exhibit 5 and 13.

3. As the regular Court presided over by the Hon'ble Mr. Justice K.K. Tated is not available for judicial work, Mr. Kadam had moved this Court as per the administrative order passed by the Hon'ble the Chief Justice.

4. The matter was heard at length on 8<sup>th</sup> February, 2019 and was kept today for passing orders.

5. Mr. Kadam states that petitioner No.2-Kisansing Ramsing Rajput and his son Kewalsing Kisansing Rajput are present in the Court. He has tendered pursis dated 10<sup>th</sup> February, 2019 signed by the petitioners along with photo copy of Aadhar Card of petitioner No.2- Kisansing Ramsing Rajput and photo copy of Identity Card issued by Election Commission of India to Kevalsing Kisansing Rajput, son of petitioner No.2. The same are taken on record and marked 'A' Colly for identification. Upon taking instructions from them, Mr. Kadam seeks permission to withdraw the Petition. He submits that the petitioners will file proposal for regularization, if already not filed.

6. In view thereof, on the motion made by Mr. Kadam, Petition is allowed to be withdrawn and is dismissed as withdrawn. Order accordingly.

**[R.G. KETKAR, J.]**