

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****WRIT PETITION (ST) NO. 8279 OF 2017****Tukaram Sitaram Patil & Ors.****..... Petitioners****VERSUS****The State of Maharashtra & Ors.****..... Respondents**

Mr.G.T.Kanchanpurkar for the Petitioners.

Mr.S.H.Kankal, A.G.P. for the Respondent nos. 1 and 2.

Mr.S.B.Kalel for the Respondent no.3.

Mr.Ravindra B.Tajane, Special Recovery Officer present.

**CORAM : S.S. SHINDE, J.****DATE : 8<sup>th</sup> APRIL, 2019****P.C.**

Learned counsel appearing for the petitioners after arguing the matter for considerable time, on instruction seeks permission to withdraw this petition with liberty to avail of remedy of revision. However he prays for protection of two weeks so as to enable him to avail of such remedy.

2. In response to the submission of the learned counsel appearing for the petitioners, learned counsel appearing for the respondent no.3 on instructions from the Recovery Officer who is present in court submits that the respondent no.3 will not take further steps for two weeks from today to implement the recovery certificate. However, he submits that within these two weeks, the petitioners would take appropriate steps to file revision.

3. In the light of the submissions made by the learned counsel appearing for the petitioners, writ petition is dismissed as withdrawn with liberty as prays for.

4. The learned counsel appearing for the respondent no.3 on instruction has made a statement that respondent no.3 will not proceed for execution of recovery certificate for two weeks from today. Said statement is accepted.

5. Needless to observe that in case petitioners' file revision before the appropriate authority, while considering the prayer for condonation of delay, the concerned authority shall keep in view the time spent by the petitioner in prosecuting the present petition.

**[S.S.SHINDE, J.]**