

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION (ST) NO.12884 OF 2019

IN

WRIT PETITION (ST) NO.7647 OF 2019

Shri Raghunath Sadashiv Kulkarni & Anr. ... Applicants

Vs

Shri Narayan Rajaram Kulkarni & Ors. ... Respondents

...

Mr. P.M.Arjunwadkar for the Applicant.

Mr. Dilip Bodake for the Respondent Nos.2A to 2D, 3A, 4 to 7.

CORAM : SANDEEP K. SHINDE J.

DATE : JUNE 19, 2019

P.C. :

Not on board. Taken on board.

Heard.

2 It is an application for restoration of writ petition, which was dismissed in view of the self-operative order dated 9th April, 2019 passed by this Court.

3 That for the reasons stated in the application, order dated 9th April, 2019 is re-called and the petition is restored to the file.

4 When the Petitioner was asked as to within what period, he will remove office objections, he submits that he has instructions to withdraw the writ petition since petition has been affirmed by one Makrand Narayan Kulkarni as Power of Attorney holder of the Petitioners. It is submitted that one Madhav Narayan Kulkarni is the Power of Attorney holder. He submits that due to inadvertence, the petition was verified as Makrand Narayan Kulkarni. The learned counsel for the petitioner, therefore, submits that he may be permitted to withdraw the petition with liberty to file fresh petition. Leave granted to withdraw petition with liberty to file fresh petition. However, all contentions of the respondents about maintainability are kept open.

5 Application is allowed in aforesaid terms.

6 Petitioner is permitted to withdraw petition on the condition as stated hereinabove.

(SANDEEP K. SHINDE, J.)