

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14011 OF 2017

Sachin A. Agarwal .. Petitioner
vs.
Pandharinath D. Shinde and ors. .. Respondents

Mr. T.D. Deshmukh for the Petitioner.
Mr. A.B. Tajane for Respondent No.1.

CORAM : M. S. SONAK, J.
DATE : 02 MAY 2019.

P.C. :-

- 1] By the impugned order, the petitioner's suit came to be dismissed as barred by limitation. Such a dismissal amounts to a decree and therefore, the same is appealable.
- 2] Accordingly, learned counsel for the petitioner seeks leave to withdraw the petition with liberty to institute an appeal against the impugned order.
- 3] Leave as prayed for is granted. Petition is disposed of as withdrawn with liberty as prayed for.
- 4] Further, it is noted that the impugned order was made on 24th January 2017. This petition was filed on 26th April 2017 and the same remained pending till date.
- 5] All concerned to act on the basis of an authenticated copy of this order.

(M. S. SONAK, J.)