

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

WRIT PETITION NO.14503 OF 2018

Dhanaji R. Kadam & Anr.

.. Petitioners

Vs.

Mrs. Gita Kuber @ Kubir Kadam & Anr.

.. Respondents

Mr. Rajesh S. Jadhav for the petitioners.

None for the respondents.

CORAM : A.K. MENON, J.

DATED : 7TH JANUARY, 2019.

P.C. :

1. The learned counsel for the petitioners state that since the order impugned is an order for distribution dated 16th August, 2018 and there is an alternate remedy of filing an appeal, he has instructions to withdraw the petition since the petitioner will now file an appeal. In the circumstances, I pass the following order:-

(i) Petition is allowed to be withdrawn,

(ii) In the event, the petitioners file an appeal, the pendency of the writ petition will be taken into account.

(iii) Writ petition is disposed of as withdrawn.

(A.K. MENON,J.)