

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1433/2017

Dr. Nilesh S/o Digambar Thakre

..Vs..

Padmashree D.Y. Patil Medical College, through its Managing Director, Kasba
 Band, Kolhapur

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri B.G. Kulkarni, Advocate for the petitioner.
 Shri N.R. Rode, Advocate for the respondent.

CORAM : Z.A. HAQ, J.

DATE : 8.1.2019.

The learned Advocates for the petitioner as well respondent submit that the impugned order is appealable before the District Court under Order 43 Rule 1(a) of the Code of Civil Procedure. The Advocate for the petitioner seeks permission to withdraw the petition with liberty to file appeal before the District Court. It is further submitted that excluding the days required for obtaining the certified copy, the petition is filed on 16th day and it is prayed that the delay which has occasioned because of pendency of this writ petition, be condoned.

The writ petition is **disposed** as withdrawn with liberty as prayed for. In the facts of the case, it is directed that if the petitioner files appeal before the District Court within two weeks, it should be treated that there is no delay in filing the appeal. In the circumstances, the parties to bear their own costs.

JUDGE