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9WP6807.20

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

9 WRIT PETITION NO. 6807 OF 2020

SURYAKANT SITARAM CHAFEKANADE AND OTHERS

VERSUS

GOPAL TULSHIRAM PAWAR AND OTHERS

Advocate for Petitioners : Mr. N.K. Tungar.

**CORAM : MANGESH S. PATIL, J.
DATE : 12.10.2020**

Per Court :

The learned Advocate for the petitioner submits that the petitioner had preferred this Writ Petition during lockdown since it was only the High Court which was functioning, though the impugned order is appealable under Section 104 of the Code of Civil Procedure. He, therefore, on instructions, seeks leave to withdraw the Writ Petition with liberty to resort to appropriate alternate remedy.

2. Leave is granted. Writ Petition is disposed of as withdrawn with liberty as prayed for.

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3. However, the appellate Court may consider the time spent by the petitioner in this Court as may be permissible by virtue of Section 14 of the Limitation Act, 1963.

(MANGESH S. PATIL, J.)

S.P.C.