

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

12 WRIT PETITION NO.2229 OF 2020

ASHA ATTAM KADAM AND ANOTHER  
VERSUS  
ATTAM HARIBHAU KADAM AND OTHERS

...

Mr. P.D. Bhosale, Advocate for the petitioners.

...

CORAM : **Rohit B. Deo, J.**

DATE : 11<sup>th</sup> February 2020.

**ORDER :-**

. The petitioner is the original plaintiff who is aggrieved by the order dated 16.10.2019 whereby the application (Exh.82) seeking permission to withdraw the suit with liberty to file a fresh suit, is rejected.

2. The only statement in the application is that important documents are not filed, and therefore, the plaintiff desires to withdraw the suit with liberty.

3. Be it noted, that the suit is of the year 2010. The plaintiff has not made out a case that the suit shall fail by reason of some formal defect or that there are sufficient grounds for allowing the plaintiff to institute fresh suit for the same relief and on the same cause of action.

4. The petition is dismissed.

**(ROHIT B. DEO, J.)**