

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 8223 OF 2019**

Sushila Apanna Katekari

.....Petitioner

Vs.

Shri. Dr. Shankar Apanna Katekari & Ors.

.....Respondents.

Mr. Chetan Patil i/by Ajit Savagave for the Petitioner.
Mr. Saurabh Oka for the Respondents.

CORAM : A. S. GADKARI, J.
DATE : 13th MARCH, 2020.

P.C.:-

Learned counsel for the Petitioner fairly submitted that, against the impugned Order dated 1st July, 2019 passed below Exhibit-24 in Regular Darkhast No. 72 of 2015, an Appeal under Order 21, Rule 103 of the Code of Civil Procedure (for short, "*the CPC*") is maintainable before the District Court and the present Petition has been filed inadvertently without availing alternate remedy. He, therefore, seeks leave to withdraw the present Petition with liberty to file substantive Appeal under Order 21 Rule 103 of the CPC.

Leave and liberty granted.

2 Writ Petition is disposed off as withdrawn, with aforesaid liberty.

(A.S. GADKARI, J.)