

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

WRIT PETITION NO.4262 OF 2020

**RAMRAO RANGNATHRAO JADAHV AND ANOTHER
VERSUS
LAXMAN RANGNATH JADHAV AND OTHERS**

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Advocate for Petitioners : Mr. A. A. Khande h/f Mr. M. P. Kale
Advocate for Respondent Nos. 1 to 3, 4/1, 4/2 & 10 : Mr. S. S.
Gangakhedkar

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 17th NOVEMBER, 2021

PER COURT :

1. Learned advocate appearing for respondent Nos. 1 to 3, 4/1, 4/2 and 10 raises a preliminary objection that writ petition is not maintainable and appeal from Order under Order 43 Rule 1A is required to be filed by the petitioner.
2. Learned advocate for the petitioner, therefore, seeks permission to withdraw the present writ petition with a liberty to file appeal from order. Permission granted. Writ petition is disposed of as withdrawn with liberty as prayed for.
3. At the time of considering the appeal from order, time spent in prosecuting the present petition may be taken into consideration.

(NITIN B. SURYAWANSHI, J.)