

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

21 WRIT PETITION NO.8697 OF 2021
MOHAMMAD HANIF GULAB BAGWAN AND OTHERS
VERSUS
UBEDURAHAMAN ABDULSALAM BAGWAN AND OTHERS

...

Advocate for Petitioners : Mr. Nimbalkar Aniruddha A.
AGP for the Respondent No. 5/State : Mr. PN. Kutti.

CORAM : **MANGESH S. PATIL, J.**
DATE : **23.08.2021.**

PER COURT :

Heard the learned advocate for the petitioners.

2. The petitioners are impugning an order passed by the Joint Charity Commissioner which according to the petitioners was obtained by fraud, by not disclosing that the petitioners have already initiated a proceeding for the same purpose.

3. When it was pointed out that if according to the petitioners the impugned order was obtained by practising fraud, by not disclosing the material circumstances, it would be appropriate for the petitioners to approach the self same authority and point it out to by taking out appropriate proceeding, the learned advocate for the petitioners, on instructions, seeks leave to withdraw the Writ Petition with liberty to avail of the appropriate remedy.

4. Leave is granted.

5. The Writ Petition is disposed of as withdrawn with liberty as prayed for.

(MANGESH S. PATIL, J.)

mkd/-