

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3677 OF 2021**

Samadhan Navnath More .. Petitioner
Versus
Baydabai Madhukar More & Anr. .. Respondents

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Mr.Dnyaneshwar Bhosale for the Petitioner.
Mr.Ajay Joshi for the Respondents.

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**CORAM: BHARATI DANGRE, J.
DATED : 03rd DECEMBER, 2021**

P.C:-

1. On being confronted with the legal position that the order which is assailed in the writ petition is passed by the learned District Judge, Pandharpur in a Regular Civil Appeal No.141 of 2019 and it is an order allowing the application below Exh.5, the remedy available is an appeal and not a writ petition, learned counsel for the petitioner seeks permission to withdraw the writ petition, with liberty to adopt the course of law which is available to him.
2. Permission is granted, with liberty as prayed for.
3. The writ petition is disposed of as withdrawn.

(SMT. BHARATI DANGRE, J.)