

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6052 OF 2021

Kiran s/o. Chandu Thombare }	Petitioner
Versus	
The State of Maharashtra }	
and Ors. }	Respondents

Mr. Abhishek Kulkarni for the petitioner.

Mr. P. P. Kakade-Government Pleader with Mr. S.
H. Kankal-AGP for State.

Mr. Pradeep D. Dalvi for respondent no. 3.

CORAM :- G. S. KULKARNI, J.
DATE :- SEPTEMBER 28, 2021

PC :-

1. After the hearing of this writ petition progressed to some length, the learned counsel for the petitioner seeks leave to withdraw the writ petition with liberty to file statutory appeal assailing the impugned order passed by the District Collector, Thane as provided under sub-section (3) of section 7 of the Maharashtra Local Authority Members' Disqualification Act, 1987.

2. Accordingly, allowed to be withdrawn with liberty as prayed for. All contentions of the respective parties are kept open.

3. As the petitioner was bona fide pursuing this writ petition and now is relegated to the appellate remedy, it is in

the interest of justice that if an appeal is presented by the petitioner within one week from today, the appellate authority shall not refuse to entertain the appeal on the ground of limitation and the appeal be heard and decided on merits.

4. The petitioner would be at liberty to apply before the appellate authority for early hearing of appeal.

5. Disposed of. No costs.

(G. S. KULKARNI, J.)

PRAVIN
DASHARATH
PANDIT

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DASHARATH PANDIT
Date: 2021.09.29
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