

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

986 WRIT PETITION NO.11325 OF 2021

BHAUSAHEB APPARAO GAVANDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Devdatt P. Palodkar, Advocate for Petitioner

Mr. K.N. Lokhande, AGP for Respondent Nos.1 and 2

Mr. S.D. Hiwrekar, Advocate for Respondent No.4

Mr. S.D. Deve (ASG), Advocate for Respondent No.5

...

**CORAM : A.S. GADKARI AND
S.G. MEHARE, JJ.**

DATE : 07th JANUARY 2022

PER COURT:

1. Respondent No.5 has filed an affidavit in Writ Petition No.11326/2021.

2 In view of the categorical averment made on oath by respondent No.5 in para No.5 of the said affidavit, the cause of action for filing present petition does not survive.

Mr. Palodkar, therefore, on instructions, seeks leave to withdraw present petition with liberty to adopt appropriate legal proceedings, if fresh cause of action arises and as may be advised.

Leave and liberty granted.

3. Petition is disposed off as withdrawn.

(S.G. MEHARE, J.)

(A.S. GADKARI, J.)