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

WRIT PETITION NO.6192 OF 2022

Vishnu Gopinath Pendharkar & Ors. ... Petitioners
Versus
Shrikant Ramchandra Rahalkar & Ors. ... Respondents

Mr. Mahaling Malikarjun Pandarge with Mr. Harshad Kulkarni with Mr.
Rupesh Manchekar with Mr. Shashank Dubey for the Petitioners.
Ms. Renuka Sanjeev Gorwadkar for the Respondent No.1.

**CORAM : S. V. GANGAPURWALA AND
MADHAV J. JAMDAR, JJ.**

DATED : 9TH JUNE 2022

PC. :

1. The learned counsel for Respondent No.1 submits that in view of sub-section (5) of section 47 of the Maharashtra Public Trust Act, 1950, the present Writ Petition would not be tenable and an Appeal would lie.
2. In view of that learned counsel for the Petitioner seeks leave to withdraw the Petition with liberty to file an Appeal.
3. In the light of request made the Writ Petition is allowed to be withdrawn. The Petitioner may file appropriate proceedings as may be permissible in law and in that event all contentions are kept open. No costs.

MADHAV J. JAMDAR, J.

S. V. GANGAPURWALA, J.