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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 8266 OF 2019

MR. APPASO PANDURANG NIKAM

.... PETITIONER.

V/s.

RAJGONDA BABAN PATIL & ORS.

.....RESPONDENTS.

Mr. Drupad S. Patil, Advocate for the Petitioner.

CORAM : NITIN W. SAMBRE, J.

DATE: MARCH 01, 2022.

P.C.:

1. On instruction, motion is made for withdrawal of the Petition by Mr. Drupad Patil, learned counsel appearing for the Petitioner.

2. Petition stands disposed of as withdrawn. However, this will not preclude the Petitioner from taking out fresh proceedings on the same line on which impugned order is passed, considering the reliefs claimed in the plaint.

3. If such prayer is made afresh, the trial Court shall decide the same having regard to the affidavit of examination-in-chief of the Petitioner/ Plaintiff and pleadings in the Plaint as claimed appears to be as that of removal of encroachment.

4. Petition stands disposed of as withdrawn.

[NITIN W. SAMBRE, J.]