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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11490 OF 2019**

SUNITA RAMDAS WARE AND ORS Petitioners.

V/s

CHANDRAHAR DADA KADAMRespondent

Mr. Vaibhav D. Kadam for the Petitioners.

Mr. Girish R. Agrawal for the Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: JANUARY 10, 2022

P.C.:-

1] In view of the order passed in Writ Petition No.7869 of 2012 decided on 1st December, 2014 and the judgment of the Apex Court in the matter of *Sheodan Singh vs. Smt. Daryao Kunwar* reported in **AIR 1966 SC 1332**, Mr. Agrawal, learned Counsel for the Respondent raised an objection on the issue of maintainability of Petition, as according to him, second appeal is maintainable.

2] In view of aforesaid objection and the judgment cited, Mr. Kadam, learned Counsel for the Petitioners, makes motion for withdrawal of the Petition with liberty to file second appeal.

3] Since not objected, Petition stands disposed of as withdrawn with liberty as prayed.

4] Time consumed in prosecuting present Petition shall be considered in case if issue of limitation crops up in the second appeal.

5] Ad-interim protection ordered by this Court shall be continued for a period of four weeks.

(NITIN W. SAMBRE, J.)