



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 6296 OF 2018

Bhagwan Shamrao Mahajan And Another

....Petitioner

VERSUS

Mankabai Shamrao Mahajan And Others

.....Respondent

.....

Advocate for Petitioner : Mr. Patil Mangesh G

AGP for Respondent/State : Mr. R.S. Wani

Advocate for Respondent 1 : Mrs. Shilpa D. Magre h/f. Mr. V.B. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 19, 2023

PER COURT :-

1. The learned counsel for the petitioners has placed on record the pronouncement of the larger bench wherein larger bench has held that the appeal under section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is maintainable even at the instance of the children or relatives. In view of the same, the learned counsel for the petitioner, on instructions, seeks leave of this Court to withdraw the petition with liberty to file appropriate appeal before the appropriate authority.
2. In view of the submissions made, the writ petition is dismissed as withdrawn with liberty to take recourse as is available under the law.
3. The learned counsel for the petitioner submits that the time spent in the present writ petition be excluded in computing the period of limitation in filing the appropriate proceedings.
4. Liberty is granted to the petitioner to file appropriate application before the appropriate authority to exclude the period spent in this writ petition. The authority concerned to pass the appropriate order on such application, if filed, after taking into consideration the provisions of section 14 of the Limitation Act. Writ petition is disposed of accordingly.

[ARUN R. PEDNEKER J.]

ssc/