

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

953 WRIT PETITION NO.14952 OF 2021

**SHAIKH VAZEER SHAIKH JAMAL
VERSUS
SHAIKH AZIZ SHAIKH JAMAL SINCE DECEASED
THR LRS SHAIKH SANDU SHAIKH AZIZ**

...

Advocate for Petitioner : Mr. Pramod F. Patni
Advocate for Respondent : Mr. D.P. Palodkar

...

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 06-01-2023

PER COURT :

. The petitioner has challenged the order dated 12.01.2021 passed by 2nd Jt. Civil Judge, J.D., Paithan in R.C.S. No.413 of 2014 partly allowing application for amendment. The learned counsel for the petitioner submits that on 11.07.2022 R.C.S No.413 of 2014 has been dismissed for failure on the part of the plaintiffs to adduce evidence. The learned counsel for the petitioner submits that an application for restoration has been made.

2. Since nothing survives for consideration as the suit is itself dismissed, the learned counsel for the petitioner seeks leave to withdraw the present petition.

3. Leave is granted. The petition is dismissed as

withdrawn.

4. Petitioner is permitted to take steps for restoration of the suit and to seek further reliefs, if so warranted by law.

(SHARMILA U. DESHMUKH, J.)

GGP