

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

1 WRIT PETITION NO.11725 OF 2022

**LAXMAN LINGAYYA BURRAWAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

...

Advocate for Petitioner: Mr. Nagargoje Ankush N.
AGP for Respondent/State: Ms. V. N. Patil-Jadhav

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CORAM: ARUN R. PEDNEKER, J.

DATE: 13th MARCH, 2023

PER COURT:

1. The learned AGP takes an objection to the maintainability of the petition. The learned AGP submits that alternate remedy is available under Section 137 of the Maharashtra Prohibition Act, 1949.

2. In view of the submissions made by the learned AGP, the learned counsel for the petitioner, on instructions, seeks leave of this court to withdraw the present petition and to file an appeal under Section 137 of the Maharashtra Prohibition Act, 1949 challenging the impugned order.

3. In view of the same, the writ petition is disposed of with liberty to the petitioner to challenge the impugned order under Section 137 of the Maharashtra Prohibition Act, 1949. In the event, the appeal is filed, the time consumed in prosecuting the present writ petition shall be excluded in computing the period of limitation and filing the appeal.

4. The writ petition is disposed of as withdrawn with above liberty.

[ARUN R. PEDNEKER, J.]

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