

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

912 WRIT PETITION NO.9402 OF 2023

**BHIMRAO VISHWANATH KADAM
VERSUS
THE EXECUTIVE ENGINEER MSED CO LTD URBAN DIVISION NANDED
AND ANOTHER**

...

Advocate for Petitioner : Mr. Dhage Vaibhav B.
Advocate for Respondents 1 and 2 : Mr. Anil S.Bajaj

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 29th August, 2023

ORDER:

1. Pursuant to hearings on 01.08.2023, 09.08.2023 and today, we expressed our disinclination. The learned Advocate for the Petitioner submits on instructions that the Petitioner desires to lodge an appeal under section 127 of the Electricity Act, 2003. He, therefore, prays for leave to withdraw this Petition.
2. In view of the above, **this Petition is disposed off** as withdrawn.
3. Needless to state, the Respondent Company would consider the said appeal within the contours of law and by following the due procedure established by the law.
4. The contention of the Respondent Company that the appeal, in case of theft, is not maintainable, is left open.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)