

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

947 WRIT PETITION NO.11923 OF 2021

**MOHAMAD TANBIRODDIN MOHAMAD
KHAMRODDIN AND OTHERS
VERSUS
SHAHEDABEGUM SHAIKH HUSEN**

...

Advocate for Petitioners : Mr. V.D. Gunale
Advocate for Respondent : Mr. Akram Inamdar h/f. Mr. S.S. Kazi

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CORAM : SHARMILA U. DESHMUKH, J.

DATE : 06-01-2023

PER COURT :

. The learned counsel for the petitioner submits that the subject matter of the petition is the rejection of the application under Order-XXVI, Rule-9 of the Code of Civil Procedure. Subsequent to the filing of the petition, the land has been measured and the report has been filed. As such, the purpose of filing this petition is served.

2. Since the purpose of filing this writ petition is served, the learned counsel for the petitioner seeks leave to withdraw the writ petition.

3. Leave is granted. The writ petition stands dismissed as withdrawn.

4. Needless to state that, the petitioners will be at liberty to raise objection to the Court Commissioner's report, which will be

decided by the Trial Court in accordance with law.

(SHARMILA U. DESHMUKH, J.)

GGP