

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.15304 OF 2019
WITH CA/16539/2022 IN WP/15304/2019

Shivram Alis Shivramkrashana Vasant Jagtap ...Petitioner

Versus

Vasant Ramrao Jagtap And Others ...Respondents

Mr. S.B. Madde, Advocate for the petitioner.

Mr. Mr. D.A. Mane h/f. Mr. G.L. Kedar, Advocate for respondents
No. 1 to 3.

.....
[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 10th MARCH, 2023

ORDER :

1. Learned advocate for the petitioner states that since Regular Civil Suit No. 384/2017 is dismissed in default during the pendency of present writ petition, he seeks permission to withdraw this petition.

2. Order passed below Exhibit-5 in the said suit was challenged by filing Miscellaneous Civil Appeal No. 4/2018. Said appeal was allowed and order passed below Exhibit-5 was set aside. This order is impugned in this petition. In view of dismissal of suit in default, nothing survives in the present petition. The petition is therefore allowed to be withdrawn with liberty to file appropriate proceeding at subsequent stage, as

permissible in law.

2. In view of withdrawal of writ petition, civil application stands disposed of.

[NITIN B. SURYAWANSHI, J.]