



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

WRIT PETITION NO. 14830 OF 2023

**LATA DIPAK SABNE THROUGH GPA DIPAK LAXMANAPPA SABANE
VERSUS
SHANTIKUMAR VALJANATHAPPA MAHAJAN AND OTHERS**

...

Advocate for Petitioner : Mrs. Chinchokar Surekha G.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 12th DECEMBER 2023.

Per Court :

. Heard. The learned Counsel for the petitioner.

1. An order dated 17.10.2023 passed below Exhibit-122 by the learned Civil Judge, Junior Division, Sailu Dist. Parbhani, rejecting the plaint is under challenge. Rejection of plaint amounts to decree under Section 2(2) of the Civil Procedure Code. Therefore present petition is not maintainable.

2. Learned Counsel seeks permission to withdraw this petition with liberty to file appeal as permissible in law.

3. The writ petition is disposed of as withdrawn with liberty to file appeal or another remedy as permissible in law. Time consumed in prosecuting the present petition be considered for condonation of delay, if any.

[SHAILESH P. BRAHME, J.]