

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 652 OF 2023

Vitthal Keshav Sonar (Dixit)

..... Petitioner

VERSUS

Manik Daji Sudake & Ors.

..... Respondents

Mr.Ashutosh Kulkarni, i/b. Mr.Anant Vadgaonkar for the Petitioner.

Ms.Suvarna Yadav for the Respondent no.1.

Ms.K.N.Solunke, A.G.P. for the State.

CORAM: R. D. DHANUKA AND

M.M. SATHAYE, JJ.

DATE : 24TH JANUARY, 2023

P.C:-

Rule. Ms. Yadav, learned counsel appearing for the Respondent no.1 and undertakes to file Vakalatnama within one week from today.

Ms.Solunke, learned A.G.P. waives service for the Respondent nos. 5 to 11. Rule is made returnable forthwith. Taken up for final disposal by consent of parties.

2. In the peculiar facts and circumstances of the case, Mr. Kulkarni, learned counsel appearing for the Petitioner, at the outset seeks leave to

delete the names of Mr.Jagannath Tatoba Rupnar, Mr.Sarangpani Vitthal Sonar (Dixit), Mr.Sanjay Vitthal Sonar (Dixit), Respondent nos. 2 to 4 in the petition. Leave granted. Amendment to be carried out within one week from today. Re-verification is dispensed with.

3. In this petition, an order was passed on 16th January, 2023, when the learned A.G.P. sought time to take instructions and make a statement whether any order is passed on the Revision Application No. 168 of 2000 filed by the present Petitioner. Today, learned counsel for the Petitioner has placed on record, an order passed in the said Revision Application No. 168 of 2000 dated 23rd August, 2022 thereby rejecting the said appeal/application. In view of the fact that the revision application itself is finally disposed off, the Petitioner on instruction from his client seeks liberty to withdraw this petition with liberty to file appropriate proceedings to challenge the order passed in Revision Application No. 168 of 2000.

4. He further seeks continuation of the interim relief which was granted by this Court during the pendency of this petition.

5. In that view of the matter, petition is disposed off as withdrawn with liberty granted as prayed. The interim relief granted by this Court under clause (5) of order dated 16th January, 2023 is extended for a period of four weeks from today.

6. Writ petition is disposed off. No order as to costs.

[M. M. SATHAYE, J.]

[R. D. DHANUKA, J.]