

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL REVIEW PETITION NO. 58 OF 2023
IN
CIVIL WRIT PETITION NO. 4016 OF 2023**

Bhagirathibai Sahadev Mahadik & Ors. ..Petitioners
Versus
The State of Maharashtra ..Respondent

**WITH
INTERIM APPLICATION NO. 13619 OF 2023
IN
CIVIL REVIEW PETITION NO. 58 OF 2023**

Mr. R. V. Govilkar, Sr. Advocate i/b. Mihir Govilkar a/w. Kinjal S.
Jani for Petitioners.
Smt. V. S. Nimbalkar, A.G.P. for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 24 JULY 2023**

PC :

1. This is a Review petition in Civil Writ Petition No.4016 of 2023. On 06.04.2023 following order was passed:

1. After arguing for some time, learned counsel for the Petitioners seeks permission to withdraw this petition. His only submission is that, the other remedies available to him in accordance with law be kept open. The request is reasonable.

2. Permission is granted. The petition is allowed to be withdrawn. The Petitioners can adopt legal

proceedings in respect of the rights and remedies, if available in law. If such remedies are availed, they shall be decided in accordance with law.

3. The petition is disposed of. In view of disposal of this petition, nothing survives in the interim application and it is also disposed of.

2. Learned counsel for the Petitioners submits that the Petitioners had not given instructions to the Advocate for withdrawal of the Writ Petition. He submitted that the order impugned in the Writ Petition No.4016 of 2023 is causing prejudice to the Petitioners.

3. I am unable to agree with the learned counsel for the Petitioners. The order dated 06/04/2023 clearly records that, after arguing for some time, learned counsel for the Petitioners had sought permission to withdraw the petition. He had done his duty. He had sought permission to withdraw the petition with a request that, other remedies available to him in accordance with law be kept open. The order also records that the request was reasonable and the permission to withdraw the petition was granted. Liberty was also granted to the petitioners to adopt legal proceedings in respect of the rights and remedies, if available in law.

4. Today, learned senior counsel for the Petitioners agrees that there are other remedies available in law to establish the rights of the petitioners. The order also records that, if such remedies are availed, they should be decided in accordance with law. I do not see any reason to review this order.

5. Consequently, the Review Petition is dismissed.

6. With disposal of the review petition, the Interim Application No.13619 of 2023 is also disposed of.

(SARANG V. KOTWAL, J.)