

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

CRIMINAL WRIT PETITION NO.4589 OF 2018

Dashrath Savliram Gavte & Ors.

.... Petitioners

versus

The State of Maharashtra & Ors.

.... Respondents

.....

- Mr. Harshad M. Inamdar, Advocate for Petitioners.
- Mr. V. B. Patil, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 21st JULY, 2023

P.C. :

1. Learned counsel for the Petitioners submits that the correct remedy would be an Appeal u/s 11 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 Act. He seeks permission to withdraw this Writ Petition and file an appropriate Appeal. In that situation there would a question of delay in filing the Appeal. However, the learned counsel is seeking permission to withdraw this Petition with liberty to file Appeal.

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2. I am permitting him to withdraw this Petition with liberty to file Appeal u/s 11 of the MPID Act. The question of delay in filing the Appeal shall be decided independently. After such Appeal is filed by the Petitioner, it shall be decided in accordance with law after dealing with the question of delay.
3. With these observations, the Petition is disposed of.

(SARANG V. KOTWAL, J.)