

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition (WP) No. 1536 of 2020

Smt. Meena S/o Shankar Khapekar

Versus

Smt. Mithil S/o Dhanraj Dobarkar

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.B.Moon, Advocate for the petitioner.

Shri Aditya Bansod, Advocate for the sole-respondent.

CORAM : ANIL S. KILOR, J.

DATED : 3rd JULY, 2023.

Learned counsel for the respondent raises an objection to the maintainability of the present petition and submits that dismissal of appeal on the ground of condonation of delay amounts to dismissal of appeal against which a second appeal would be maintainable and not the writ petition.

2. Thereupon, the learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file a second appeal.

3. Permission is granted to withdraw the petition with liberty to file a second appeal.

4. The writ petition is disposed of as withdrawn with liberty as prayed for.

[ANIL S. KILOR, J.]