

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

Second Appeal No. 46 of 2023

Sheikh Ahmed S/o Sheikh Chand Mohammad

Versus

Kazi Nasiruddin S/o Kazi Ikramuddin (Dead) through legal
representatives Smt. Khirunnisa Quazi Nasiruddin and others

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

Court's or Judge's Order

Shri B.K.Shende, Advocate for the appellant.

Shri P.K.Mishra, Advocate for the respondents.

CORAM : ANIL S. KILOR, J.

DATED : 23rd FEBRUARY, 2023.

Shri Mishra, learned counsel for the respondents raised objection to the maintainability of Second Appeal, in view of Section 34 Sub-Section 3 of the Maharashtra Rent Control Act, 1999.

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

3. Permission is granted with liberty as prayed for.

4. Second appeal is disposed of as withdrawn.

[ANIL S. KILOR, J.]

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