



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

954 WRIT PETITION NO. 1539 OF 2021

**ABDUL SATTAR MOHAMMAD SALAR
VERSUS
SYED NASHIR SHAMSHER ALI & OTHERS**

...
Advocate for the petitioner : Mr.Shakil U. Shaikh h/f.
Mr.Y.M.Khan
Advocate for Respondent nos. 6 and 7 : Mr.P.P.Patni h/f.
Mr.A.S.Bajaj
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 13.08.2024

P.C. :

1] Heard the learned counsel for the petitioner and the learned counsel for the respondent nos. 6 and 7.

2] On the objections being made by the learned counsel for the respondents on the maintainability of the writ petition, the learned counsel for the petitioner submits that against the impugned judgment and order, the Appeal from Order would lie before the District Court, therefore, he seeks leave to withdraw the present Writ Petition, with liberty to file Appeal from Order before the District Court. The learned counsel further submits that the time spent in prosecuting the present Writ Petition may be excluded under Section 14 of the Limitation Act for computing the

period of limitation in filing the Appeal from Order before the District Court.

3] Leave granted. The Writ Petition is dismissed as withdrawn with aforesaid liberty.

4] The petitioner is permitted to file an application before the District Court under Section 14 of the Limitation Act to exclude the period spent before this Court in the Writ Petition in computing the period of limitation and the concerned Court would decide the same in accordance with law.

[ARUN R. PEDNEKER]
JUDGE

DDC