



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 10938 OF 2023

Hanuman Bapurao Chavan And Another  
**VERSUS**  
Ashok Shahadeo Cahvan And Another

Mr. S. S. Wagh, Advocate for the petitioners  
Mr. K. R. Doke, Advocate for respondent nos.1 and 2.

CORAM : R. M. JOSHI, J.

DATE : 12<sup>th</sup> NOVEMBER, 2024

**PER COURT :-**

1. Learned counsels for both sides were heard for some time.
2. When this Court has shown its disinclination to grant relief to the petitioners, learned counsel for the petitioners, on instructions, makes statement that the petitioners after passing of the order below Exhibit 5 by the Trial court has amended the plaint and incorporated necessary pleadings. He, therefore, seeks withdrawal of the petition with liberty to file fresh application before the Trial Court for necessary order. Learned counsel for the respondents opposed the said submission.
3. Since it is a case of the petitioners that pursuant to the order passed by the Trial Court below Exhibit 5 pleadings are amended, if it is permissible in law, petitioners are at liberty to move appropriate

application before the Trial Court. Learned Trial Court to consider application, if filed, as per law.

4. Petition is disposed of as withdrawn.

(R. M. JOSHI, J.)

ssp