



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 2766 OF 2021

Kishor Pandurang Kale

....Petitioner

VERSUS

Ratan Iismail Chaugale

.....Respondent

.....

Mr. Y. L. Bidve, Advocate for the Petitioner.

CORAM : R. M. JOSHI, J.

DATE : 29th NOVEMBER, 2024.

PER COURT :

1. This Court has raised a query to the learned counsel for the Petitioner about the maintainability of the Petition against the judgment and decree passed by the First Appellate Court in Regular Civil Appeal No. 2/2017. He sought to make submission that in view of Section 102 of Code of Civil Procedure, second appeal is not permissible in the present case. Since said submission is made, this Court went through the judgment and and decree hereby by the Trial Court. Said judgment and decree indicates that the Defendant/present Petitioner was directed to pay sum of Rs. 26,965/-. In view of this, there is no application of Section 102 of Code of Civil Procedure to the present case.

2. Learned counsel for Petitioner, on instructions, seeks withdrawal of the Petition.

3. Petition is dismissed as withdrawn.

(R. M. JOSHI)
Judge

dyb