



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

910 WRIT PETITION NO. 15291 OF 2023

**VISHNU MOHAN HANDIBAG AND OTHERS
VERSUS
PANDURANG RAMCHANDRA REVALKAR DIED THROUGH LRS PADMA
PANDURANG REVALKAR AND OTHERS**

...
Advocate for the Petitioner : Mr. Salunke Vasant Digambarrao
Advocate for Respondent No.1-B : Mr. A. S. Kulkarni
...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 16th JANUARY, 2024**

PER COURT:

1. Heard.
2. The learned counsel for the petitioners submits that the petitioners have challenge the impugned order dated 20.10.2023. The learned counsel further submits that an appeal lies against the said order dated 20.10.2023 before the District Court. In view of the same, he seeks leave to withdraw the present petition and to approach the District Court. He submits that, in the bonafide belief that no appeal lies, the present writ petition is filed immediately after passing of the impugned order. He submits that the time spent in prosecuting the present petition be excluded while computing the period of limitation in filing appeal before the District Court.

3. Liberty is granted to the petitioners to file an appropriate application for condonation of delay. In the event, the said application is filed, the District Court to take into consideration the time spent in prosecuting the present writ petition; as the petition is filed in this court immediately after the passing of the impugned order and pass appropriate order applying Section 14 of the limitation Act.

4. The writ petition is disposed of as withdrawn with liberty to approach the District Court or to file such proceedings as may be available in law.

[ARUN R. PEDNEKER, J.]

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