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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3886 OF 2017**

Dattaram Dhondbarao Khair ... Petitioner
Vs.
Sitaram Narayan Agwekar and Others ... Respondents

Mr. Pratiksha C. Keni h/f. Mr. S. D. Patil for the Petitioner.

Mr. Chandrakant R. Hode a/w. Mr. Sagar Tambe for Respondent No. 7.

CORAM : GAURI GODSE, J.

DATE : 8th MARCH 2024

P.C.

1. Learned counsel for the petitioner in compliance of order dated 1st March 2024 has placed on record a copy of the power of attorney executed by the petitioner in favour of the constituted attorney who has verified the present petition. The said power of attorney is dated 18th February 2009 which is executed before the Executive Magistrate, Chiplun. Copy of the power of attorney is taken on record.

2. Learned counsel for the petitioner on instructions seeks leave to withdraw this petition with liberty to file appropriate application for

restoration of the Tenancy Revision Application No. RESTO/TNC/RTN/L-233/2015 before the Maharashtra Revenue Tribunal (MRT), Mumbai.
Leave granted with liberty as prayed.

3. Writ Petition is disposed of as withdrawn with liberty to the petitioner to make an appropriate application for restoration of the Tenancy Revision Application No. RESTO/TNC/RTN/L-233/2015 before the MRT, Mumbai.

4. It is clarified that I have not examined the rival contentions of the parties on merits. Hence, all contentions of all parties are kept open.

5. Needless to record that the petitioner will be entitled to seek benefit of the period of pendency of this petition for seeking condonation of delay in filing application before the MRT.

[GAURI GODSE, J.]