

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 6654 OF 2024

Mahadvei Parashram Pawar Petitioner

Versus

Vimal Parashram Pawar and Ors. Respondents

Digitally signed
by SHANTANU
SHANKARSA
DHUDUM
Date:
2024.09.02
14:44:15
+0530

Mr. Mahesh Haridas Chandanshiv, Advocate for the Petitioner/s.

CORAM : R. M. JOSHI, J.

DATE : 30th AUGUST, 2024.

P.C. :

1. In view of the judgment of the Division Bench of this Court in case of *Jagdish Pitamber Pawar V/s. Pitamber Pundalik Pawar & Ors.*¹, appeal is provided and permitted by the children of the senior citizen under Section 16(2) of the Act. In view of this learned counsel for the Petitioner seeks withdrawal of the petition with liberty to file appeal before the authority.

2. He submits that the Petitioner is unable to file the appeal

¹ Writ Petition No.36 of 2023 decided on 29/11/2023 Judgment of Aurangabad Bench.

without Financial Assistance / Legal Aid. It is his submissions that the High Court Legal Services Authority is not in a position to engage a Lawyer on her behalf for appearance before the Appellate Authority.

3. Secretary Legal Services Authority is hereby requested to ensure that the Advocate for the Petitioner is appointed by way of Legal Aid to represent the Petitioner before the Appellate Authority.

4. Learned counsel for the Petitioner seeks continuation of stay granted by this Court by order dated 6th May, 2024 for a period of four weeks. He undertakes to file the appeal within this period.

5. Petition therefore stands dismissed as withdrawn.

6. Order dated 6th May, 2024 granted stay to the impugned order to continue for a period of four weeks from today.

7. If the appeal is filed within a period of four weeks, the issue of limitation shall not be raised.

(R. M. JOSHI, J.)