



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

WRIT PETITION NO. 1900 OF 2024

Madrawati Balaji Telange And Others
VERSUS
Balaji Ramrao Telange And Others

Mr. V. G. Kodale, Advocate for Petitioners
Ms. R. S. Bora h/f Mr. S. S. Bora, Advocate for Respondent No. 3 and 6

CORAM : R. M. JOSHI, J.
DATE : 13th March, 2025

PER COURT :-

1. Learned counsel for Respondents raised objection with regard to the maintainability of the petition by contending that since the order impugned passed under Order IX Rule 9 of the Code of Civil Procedure, appeal from order is provided against the same in view of Order 43(1)(c) of the Code of Civil Procedure.
2. Learned counsel for Petitioners seeks withdrawal of the petition with liberty to file appeal under Order 43(1)(c) of the Code of Civil Procedure.
3. Petition is dismissed as withdrawn with liberty as prayed. Time consumed in prosecuting this petition shall be excluded from the period of limitation for filing such appeal.
4. Petition stands disposed of in accordance with law.

(R. M. JOSHI, J.)

bsj