



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 WRIT PETITION NO. 3401 OF 2024
WITH
CIVIL APPLICATION NO. 6785 OF 2024

KAVERI RAHUL BHARATI
VERSUS
HARIBHAU RAMA BHARATI AND OTHERS

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Advocate for the Petitioner : Mr. Patil Jitendra Vijay
Advocate for Respondent Nos. 1 & 2 : Mr. Patel Fayaz K.
AGP for Respondent Nos. 6 to 8 : Mr. B.A. Shinde

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CORAM : R.M. JOSHI, J.
DATE : 04th FEBRUARY, 2025

PER COURT :

1. Learned counsel for the petitioner submits that under a bona fide belief that an appeal could not have been filed under Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act 2007, present petition is preferred.
2. The Division Bench of this Court in case of Jagdish Pitamber Pawar Versus Pitamber Pundalik Pawar and Others in Writ Petition No. 36/2023, has held that party other than senior citizen can file an appeal under Section 16 of the Act.
3. In view of this, he seeks withdrawal of the petition with liberty to file appeal within a period of four weeks.
4. Petition stands dismissed as withdrawn with liberty to file appeal under Section 16 of the Act, against impugned order. If appeal is so filed within a period of four weeks, issue of limitation shall neither be raised nor be entertained. Civil Application stands disposed of.

(R.M. JOSHI, J.)