



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
998 WRIT PETITION NO. 12316 OF 2022**

PANDHARINATH DAGADUPPA DHAPPADHULE DECEASED THROUGH LRS
MAHANANDA PANDHARINATH DHAPPADHULE
VERSUS
SHASHIKANT PANDITRAO JOSHI AND OTHERS

...
Advocate for the Petitioner : Mr. Jadhavar Santosh S.
Advocate for Respondent No.1 : Mr. Deshmukh Prashant K.
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 12.12.2025

PER COURT :

. Heard learned counsel for respective sides.

2. The petitioner challenges the order dated 11.02.2022 passed below Exh.120 by learned Civil Judge Junior Division, Kallam in R.C.S. No.318 of 2011 whereby application filed by the original defendants for issuing summons for calling witness No.1 to 11 for giving evidence came to be rejected. The petitioner also challenges the order dated 27.07.2022 passed below Exh.121 by learned Civil Judge Junior Division, Kallam whereby review application filed by legal heirs of original defendant no.1 came to be rejected.

3. Learned counsel for the petitioner submits that in application below Exh.120 the purpose of examining the witnesses is not stated and he fairly submits that on instructions, he wants to withdraw the petition with a liberty to file fresh application before the learned trial court.

4. In view thereof, Writ Petition is disposed of as withdrawn with liberty as prayed for
5. The petitioner is at liberty to file fresh application before the trial court. The trial court to decide the same in accordance with law.

(SIDDHESHWAR S. THOMBRE, J.)

vsj..