



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO. 9839 OF 2016

FULABAI BHAUSAHEB BANSUDE

VERSUS

GOVIND SOPANRAO BANSUDE AND OTHERS

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Advocate for the Petitioner : Mr. A. A. Joshi

Advocate for Respondent Nos.1 and 2 : Mr. D. S. Bansude h/f. Mr. N.D. Kendre

Advocate for Respondent Nos.3, 4 and 6 : Mr. R. S. Malani h/f. Mr. H. A. Bajaj

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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 04.04.2025

PER COURT :-

1. Heard the learned counsel for the petitioner and learned counsel for respondent Nos.1, 2, 3, 4 and 6.

2. The learned counsel for the petitioner submits that, in view of deletion of Section 9-A by amendment from Code of Civil Procedure, 1908, the petitioner does not want to press for the instant petition. He submits that an application under Section 10 of Civil Procedure Code, vide Exhibit No.25, is already filed in Regular Civil Suit No.364 of 2016 and he desires to prosecute the said application. He requests for direction for early decision on that application.

3. In view of the objection raised by the learned counsel for respondent Nos.1 and 2 about repeated civil suits and petitions filed by the petitioner, the petitioner is directed to take steps to meticulously prosecute all the civil suits in between the parties.

4. The request for withdrawal of the writ petition is granted. The petitioner is granted liberty to approach the Trial Court for pursuing his application at Exhibit-25.

5. The writ petition is disposed of.

(PRAFULLA S. KHUBALKAR, J.)