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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3673 OF 2025**

Pratap Balasaheb Jadhav and Anr ... Petitioners
VS.
Udaykumar M. Patil and Anr ... Respondents

Mr. Tejesh Dande for Petitioners.

Ms. Prabha Bhandre for Respondent Nos. 1.

Mr. Ruturaz Pawar for Respondent No.2.

CORAM : GAURI GODSE, J.

DATED : 27th JUNE 2025

ORDER:

1. Learned counsel for respondent nos. 1 has tendered an affidavit raising objections in the manner in which the petition was affirmed and filed when the petitioner was in custody. The affidavit of respondent no.1 is taken on record.

2. Learned counsel for the petitioners has tendered affidavit of petitioner no.1 stating that it was inadvertent and bonafide mistake in affirmation of the writ petition. He, therefore seeks leave to withdraw the petition.

3. Learned counsel for the petitioners on instructions of petitioner no.1 who is present in the court states that within 48 hours, the impugned order shall be complied by vacating the suit

premises and handing over possession to respondent no.1. Statement made on behalf of petitioner no.1 is accepted as undertaking to this court. Learned counsel for the petitioners further submits that he shall also file affidavit of the concerned Notary who has affirmed the petition in the absence of petitioner no.1.

4. List the petition on 2nd July 2025. To be listed under the caption for 'directions'.

(GAURI GODSE, J.)