IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.3407 OF 2024

Subhash S/o. Mahesh Sharma …Petitioner

Versus

State of Maharashtra
Through Public Prosecutor & Anr. …Respondents

WITH

CIVIL WRIT PETITION NO.1078 OF 2025

Subhash S/o. Mahesh Sharma & Ors. …Petitioners

Versus

State of Maharashtra & Anr. …Respondents

Mr. A. M. Saraogi, for the Petitioner.

Mr. Manoj Jaiswal a/w Mr. Vaibhav Choudhary a/w Mr. Vedant Gurav, for the Respondent No.2 in WP/3407/2024.

Mr. A. R. Metkari, APP for the Respondent – State.

CORAM: MADHAV J. JAMDAR, J.
DATED: 2nd APRIL 2025

P.C.:

CIVIL WRIT PETITION NO.1078 OF 2025

1. At the outset learned Counsel appearing for the Respondent No.2 raises objection to the maintainability of the Writ Petition on the ground of availability of the alternate proceedings.

2. In view of the said objection Mr. Saraogi, learned Counsel appearing for the Petitioner seeks withdrawal of the Civil Writ Petition No.1078 of 2025 with liberty to adopt appropriate alternate proceedings.

3. Accordingly, the Civil Writ Petition is allowed to be withdrawn

and disposed of as such. The Petitioner is granted leave to adopt appropriate alternate proceedings.

4. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

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5. Stand over to 9th April 2025. To be shown in 'Supplementary Board'.

6. Ad-interim relief to continue till next date.

[MADHAV J. JAMDAR, J.]