



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 834 OF 2026

NAJMODDIN RASOOLSAHEB PATWARI

VERSUS

KHUTBUDDIN RASOOLSAHEB PATWARI AND OTHERS

...

Mr. Swapnil A. Deshmukh, Advocate for the Petitioner.

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CORAM : S. G. CHAPALGAONKAR, J.
DATED : 28th JANUARY, 2026.

P.C.:-

1. The present Writ Petition takes exception to order dated 20.03.2025 passed by Principal District Judge, Latur in Regular Civil Appeal No.154/2007, by which petitioner's Appeal has been dismissed for want of prosecution.
2. Apparently, petitioner has remedy to seek re-admission of Appeal, if it is dismissed under Order 41 Rule 17 of Code of Civil Procedure.
3. In that view of matter, Writ Petition stands **disposed of** with liberty in favour of petitioner to avail alternate remedy before same Court in terms of Order 41 Rule 19 of Code of Civil Procedure.
4. Needless to state here that, time consumed in prosecuting present Writ Petition shall be considered while counting limitation period, in case alternate remedy is availed.

(S. G. CHAPALGAONKAR)
JUDGE