

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2901 OF 2023

Ramesh Dagadu Godse & Ors.
V/S

....Petitioners

Ravi Laxman Landge & Ors.

....Respondents

**WITH
INTERIM APPLICATION NO.12511 OF 2025
IN
WRIT PETITION NO.2901 OF 2023**

Ramesh Dagadu Godse & Ors.
V/S

....Applicants

Ravi Laxman Landge & Ors.

....Respondents

Mr. Sudhir Sadavarte *for the Petitioners/Applicants.*
Mr. Vilas B. Tapkir *for Respondent No.1.*

CORAM : SANDEEP V. MARNE, J.
DATE : 03 FEBRUARY 2026.

P.C.:

1. Mr. Sadavarte, the learned counsel appearing for Petitioners, on instructions, seeks leave of the Court to withdraw the Petition with liberty to institute a fresh Suit by withdrawing Regular Civil Suit No.46 of 2018. Since the cause of action sought to be introduced in Application for amendment filed in Regular Civil Suit No.46 of 2018 changes the nature of the Suit, it is otherwise appropriate that the Plaintiffs files a separate Suit as the cause of action in respect of Regular Civil Suit No.46 of 2018 has come to an end on account of admitted dispossession of the

Plaintiffs. Accordingly, the Trial Court shall proceed to pass a formal order of closure of Regular Civil Suit No.46 of 2018 upon filing of a praecipe/pursis by the Advocate for the Plaintiffs. Plaintiffs would be at liberty to institute a fresh Suit in respect of cause of action indicated in the Application for amendment.

2. Writ Petition is accordingly permitted to be **withdrawn and disposed of**.

3. In view of the disposal of the Writ Petition, nothing would survive in the Interim Application and the same is also disposed of accordingly.

(SANDEEP V. MARNE, J.)