



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2560 OF 2026**

Sadhana Ashish Kapote @ Sadhana Dattaji Wagh... Petitioner
versus
Shivraj Dattaji Wagh and Ors. ... Respondents

Mr. Umar Kazi (through VC) with Ms. Sonia Santis, for Petitioner.
Mr. Girish Agrawal, for Respondent No.5.
Mr. Rohan Kaiche, for Respondent No.6.

CORAM: N.J.JAMADAR, J.

DATE : 10 APRIL 2026

P.C.

1. Heard the learned Counsel for the parties.
2. When the Court expressed its disinclination to entertain the Petition, learned Counsel for the Petitioner seeks leave to withdraw the Petition with liberty to raise the grounds raised in the application for rejection of the plaint, as the defences in the suit.
3. Leave granted with liberty as prayed for.
4. The Writ Petition stands dismissed as withdrawn.
5. In the event, the Defendants raise the grounds of bar of limitation, suit claim being undervalued and the proper court fees not having been paid, the Trial Court is requested to frame and decide those issues at the stage of final adjudication of the suit.

(N.J.JAMADAR, J.)