

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5712 OF 2026

Malhari Ramchandra Kakad and ors. ...Petitioners

Versus

Prabhakar Nathu Tungar and ors. ...Respondents

Mr. Harshad Inamdar, for the Petitioners.

CORAM: N. J. JAMADAR, J.

DATED: 27th APRIL, 2026

SANTOSH
SUBHASH
KULKARNI

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PC:-

1. Heard the learned Counsel for the petitioners.
2. When this Court expressed its disinclination to entertain this petition, the learned Counsel for the petitioners, on instructions, seeks leave to withdraw the petition with liberty to file suit before the Civil Court assailing the legality and validity of the order passed by the Authority under the Mamlatdar's Courts Act, 1906.
3. Leave granted with liberty as prayed for.
4. In the event such a suit is filed, the Civil Court is requested to hear and decide the same on its own merits and in accordance with law.

5. In case the petitioners seek interim relief, the learned Civil Judge is requested to hear and decide such application as expeditiously as possible.

6. All concerned to act on an authenticated copy of this order.

[N. J. JAMADAR, J.]