

Prop. Alka P. Halande

Vs.

Pvt. Ltd.

Mr. Ashok B. Tajane a/w. Mr. Yuvraj Tajane for the
Petitioners.

CORAM : GAURI GODSE, J.

DATE : 28th APRIL 2026

ORDER :

1. This petition is filed by the original plaintiff to challenge the order passed by the trial court refusing to restore the suit that was dismissed for non-prosecution. The impugned order is an appealable order under Order XLIII Rule 1(c) of The Code of Civil Procedure, 1908 (“CPC”).

2. Learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file appeal. Leave granted with liberty as prayed.

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3. It is clarified that if an appeal is preferred within six months from today, the petitioner shall be entitled to seek the benefit of the period of pendency of this petition for seeking condonation of delay.

4. The writ petition is disposed of as withdrawn with liberty as recorded above.

[GAURI GODSE, J.]