

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

WRIT PETITION NO.4250 OF 2024

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VITTHAL
KUDHEKAR

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Bimal Kumar Awadh Prasad Singh

...Petitioner

Versus

M/s Systematic Infotech Pvt. Ltd. & Anr.

...Respondents

WITH

WRIT PETITION NO.4252 OF 2024

Bimal Kumar Awadh Prasad Singh

...Petitioner

Versus

M/s Systematic Infotech Pvt. Ltd. & Anr.

...Respondents

Mr. Prajit S. Manjrekar, for the Petitioner.

Mr. Anil M. Dubey, for Respondent No.1.

Ms. M. R. Tidke, APP, for the Respondent-State.

Coram: Madhav J. Jamdar, J.

Date: 08 September 2026

P.C.:

1. At the outset, Mr. Dubey, learned Counsel appearing for Respondent No.1, states that there is an alternate remedy of Revision to challenge the impugned Order of issuance of process.
2. In view of the said contention raised by Mr. Dubey, learned Counsel for Respondent No.1, Mr. Manjrekar, learned Counsel appearing for the Petitioner seeks withdrawal of the Writ Petitions with liberty to avail the alternate remedy.

3. Accordingly, the Writ Petitions are allowed to be withdrawn with liberty as sought.
4. It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.
5. However, it is required to be noted that the Order issuing process is dated 23rd March 2016 and the Writ Petitions have been filed on 4th June 2024. Accordingly, the Petitioner will get the benefit of Section 14 of the *Limitation Act, 1963* from the period of 4th June 2024 till 8th September 2026.

[Madhav J. Jamdar, J.]