

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2659 OF 2014

U-Tech Sugar Ltd.,
2055, Anant Residency, Sadashiv Peth,
Tilak Road, Pune 411 030.
R/o. F-901, Trazer Park,
Arneshwar, Pune-09.
Through its authorized signatory
Bhausahab Marutrao Mandlik,
Age: 54 years, Occu: Superintendent,
R/o. Sangamner(Kh.), Tq. Sangamner,
Dist. Ahmednagar & anr.

...Petitioners

versus

The State of Maharashtra,
Through Hon'ble Minister for Revenue,
Mantralaya, Mumbai-32 & ors.

...Respondents

WITH

WRIT PETITION NO. 7513 OF 2013

Ravindra s/o Purushottam Birole,
Age: 43 years, Occu: Business and Chief Promotor,
U-Tech Sugar Ltd.,
2055, Anant Residency, Sadashiv Peth,
Tilak Road, Pune 411 030.
R/o. F-901, Trazer Park,
Arneshwar, Pune-09.

...Petitioner

versus

The State of Maharashtra,
Through Hon'ble Minister for Revenue,
Mantralaya, Mumbai-32 & ors.

...Respondents

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Mr. P. R. Patil, Advocate h/f Mr. S. B. Ghatol Patil, Advocate for petitioners.
Mr. D. R. Korde, A. G. P. for respondent/State.
Mr. R. L. Kute, Advocate h/f Mr. V. R. Dhorde, Advocate for
respondent No. 6 in W.P. No. 7513/13 and for respondent No. 7 in
W.P. No. 2659/14.

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CORAM : N.W. SAMBRE, J.

DATE : 15TH APRIL, 2015

ORAL ORDER :

Learned Counsel for the petitioners seeks withdrawal of the petitions.

2. The request of withdrawal of the petitions is strenuously objected by learned Counsel for the respondents on the ground that the petitioners having elected remedy of filing the writ petitions and persuaded the same for last two years, according to him, it will not be in the fairness of things that they should be permitted to withdraw the petitions. In addition to above, he submits that the claim in revision and claim in the petitions requires to be verified.

3. In my opinion, the above objection raised by the respondents is required to be overlooked, as it is always open for present petitioners to withdraw the action that is brought before this Court, unless it is demonstrated that such withdrawal is malafide. In the present case, this Court *prima facie* does not notice any such intention.

4. In view thereof, request of withdrawal of the petitions stand granted. The objection raised by present respondents to the withdrawal of the petitions is kept open and it is open for them to agitate the same in the Revision so preferred.

5. The writ petitions stand disposed of, as withdrawn.

6. In view of withdrawal of the petitions, pending civil applications also stand disposed of accordingly.

[N.W. SAMBRE, J.]