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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.6751 OF 2013 WITH
CIVIL APPLICATION NO.1296 OF 2014.

Addvission Outdoor Advertising
Agency ...Petitioner
vs.
The Chief Officer,
Municipal Council,
Pandharpur & Ors. ...Respondents

Mr.Pratap Patil for the Petitioner
Mr.Sarang S. Aradhye for the respondent Nos.1 and 2
Ms M.P.Thakur, AGP for respondent No.3
Mr.S.P.Rajepandhare i/b Mr.A.A.Joshi for respondent
Nos.4 and 5.

CORAM : A.S.OKA, &
V.L.ACHLIYA, JJ.
DATE : OCTOBER 9, 2015

P.C.:

1 The order dated 20th May 2015 passed by the Regional Director of Municipal Administration in accordance with sub-section 4 of section 308 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act,1965 was placed on record by the learned AGP on 25th August 2015. The learned counsel for the petitioner on instructions states that the petitioner was never served with a copy of the said order and the petitioner received the same only on 25th August 2015 when the same was submitted by the learned AGP.

2 The learned counsel for the petitioner seeks

permission to withdraw this writ petition with liberty to avail of the remedy under section 318 of the said Act. He seeks continuation of ad-interim relief granted on 1st August 2013. The learned counsel for the Municipal Council submits that the present status of the hoardings is not brought on record.

3 The ad-interim order of this Court dated 1st August 2013 is operative till today. The same deserves to be extended without prejudice to the rights and contentions of the parties to enable the petitioner to move the Revisional Authority.

4 Accordingly, we pass the following order:

- (I) Writ petition is disposed of as withdrawn with liberty as prayed for;
- (II) To enable the petitioner to adopt the remedy, ad-interim relief granted by this Court on 1st August 2013 shall continue to operate till 25th November 2015;
- (III) Concerned Authority exercising the revisional powers shall decide the Revision Application and the application for interim relief made therein without being influenced by the ad-interim order dated 1st August 2013 and further continuation thereof;
- (IV) All contentions of the parties are kept open;
- (V) There will be no order as to costs;

(VI) Civil Application No.1296 of 2014 does not survive and the same is disposed of.

(V.L.ACHLIYA,J.)

(A.S.OKA,J.)