

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6586 OF 2008

The Maharashtra State Co-operative
Consumer Federation Ltd.

.. Petitioner

Vs.

The State of Maharashtra and ors.

.. Respondents

Mr. R. M. Pethe for petitioner.

Mr. Vijay Patil for petitioner in PIL No. 104 of 2008.

Mr. P. P. Kakade, AGP for State.

Mr. Pradyot R. Shetty i/by M/s. Navdeep Vora and Associates for
respondent no.3.

CORAM: NARESH H. PATIL &
S. B. SHUKRE, JJ.

DECEMBER 04, 2015.

P.C.

1. Present Writ Petition was heard along with PIL No. 104 of 2008. The petitioner prayed for quashing and setting aside the impugned decision dated 11/8/2008 (Exhibit "K") and for further direction to respondent no. 3 – the Maharashtra State Co-operative Marketing Federation Limited to refund an amount of Rs.2 crores deposited by the petitioner with respondent no.3 as an earnest money deposit against the

subject tender notice. In the PIL No. 104 of 2008, the Division Bench by an order dated 11/8/2008 concerning the same subject, passed order of status quo to be maintained till the next date i.e. 8/9/2008. The said PIL is still pending. Mr. Pethe, learned counsel appearing for the petitioner has placed on record a communication made by the Additional Executive Director to him dated 21/11/2015. The same is taken on record and marked "X" for identification.

2. Mr. Pethe, learned counsel appearing for the petitioner, on instruction, seeks leave to withdraw the writ petition, as according to the learned counsel, on such withdrawal, the Marketing Federation had promised to refund the earnest money amounting to Rs.2 crores to the petitioner. Mr. Pradyot Shetty, learned counsel appearing for respondent no.3 is present and he has no objection for withdrawal of the writ petition.

3. We do not express any opinion on the merit of the petition or the communication made by the Consumer Federation to the learned counsel for the petitioner regarding the reasons for withdrawal of the writ petition.

4. On the request made by the learned counsel for the petitioner for seeking leave to withdraw the writ petition, we grant leave accordingly to withdraw the writ petition.

5. Writ Petition is dismissed as withdrawn.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)