

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

WRIT PETITION NO.3144 OF 2014

Shri. Puransingh Mirchusingh Labana and others .. Petitioners

Versus

State of Maharashtra and others .. Respondents

WITH

CIVIL APPLICATION NO.1996 OF 2014

IN

WRIT PETITION NO.3144 OF 2014

Shri. Naniksingh Aasasingh Labana .. Applicant

IN THE MATTER BETWEEN

Shri. Puransingh Mirchusingh Labana and others .. Petitioners

Versus

State of Maharashtra and others .. Respondents

Mr. Sheroo Kanuga, for the Petitioners.

Ms. M. S. Bane, "B" Panel Counsel for the Respondent No.1.

Mr. Roshan Tanna i/by J. M. Joshi, for the Applicant in C. A.

CORAM : R.M. SAVANT, J.

DATE : 11th JUNE, 2015

PC.

1. The above Writ Petition is directed against the order dated 25.02.2013 passed by the Secretary (Re-settlement and Rehabilitation),

Government of Maharashtra, by which order, the order dated 09.10.2009 passed in Revision Application No.57 of 2004 came to be stayed pending the consideration of the Objections/Representation received from various persons in respect of the said order. By the said order dated 25.02.2013, the Review Application under Section 33 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954, filed against the said order dated 09.10.2009 came to be admitted. Since the proceedings are pending before the Secretary (Re-settlement and Rehabilitation), the Learned Counsel for the Petitioners seeks withdrawal of the above Petition to prosecute the said proceedings. The above Petition is accordingly allowed to be withdrawn and dismissed as such. Needless to state that the contentions of the Petitioners are not considered on merits and it is before the concerned authority that the Petitioners would be entitled to urge the said contentions.

2. In so far as the application for intervention being Civil Application No.1996 of 2014 filed by one Shri. Naniksingh Aasasingh Labana is concerned, in view of the withdrawal of the above Petition, it is not necessary for this Court to consider the said application. The Applicant would be at liberty file an application seeking his impleadment before the authority of the State Government i.e. Secretary (Re-settlement and Rehabilitation) and if any such application is filed, the said authority

would consider the same on its own merits and in accordance with law.

The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]