

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2580 OF 2007

Virendra Gajanan Desai

..... Petitioner

V/s

**Municipal Corporation of
Greater Mumbai & Ors.**

..... Respondents

WITH

WRIT PETITION NO.2581 OF 2007

Mahadeo Gajanan Desai & Anr.

..... Petitioners

V/s

**Municipal Corporation of
Greater Mumbai & Ors.**

..... Respondents

Mr. Ranjit A. Thorat a/w Mr. Pradeep J. Thorat for Petitioner.

Ms. K.H. Mastakar for Respondent – MCGM.

Mr. A.A. Garge for Respondent No.6.

Mr. Hamid Ali i/b M/s. Diamondwala & Co. for the Applicant/Developer

CORAM : A.A. SAYED, J.
DATED : 13 MARCH 2015

P.C.

1 Learned Counsel on behalf of the Petitioners on instructions from the Petitioners who are present in Court seeks to withdraw above Writ Petitions with liberty to challenge the impugned order passed by the Respondent No.2 in appropriate proceedings. In the circumstances, both the Petitions are disposed of by passing following order:

ORDER

- i) Writ Petitions are allowed to be withdrawn with liberty to challenge the order dated 13 February 2007 passed by the Respondent No.2 in

appropriate proceedings, if the same is not already challenged in any other proceedings.

- ii) The time spent in prosecuting the present Writ Petitions will be considered so far as the issue of limitation is concerned.
- lii) The ad-interim order dated 13 January 2009 staying operation, implementation and/or execution of the impugned order dated 13 February 2007 is continued for a period of six weeks from today.
- iv) All contentions of the parties are kept open.

(A.A. SAYED, J.)

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