

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAO NO. 103/2015 AND MCA ST. NO. 630 OF 2015 IN
WRIT PETITION NO. 3733 OF 2000

(Gautam s/o Piraji Arakh & Anr. vs. State of Maharashtra thr. Secretary to Municipal
Administration Department & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.
JANUARY 27, 2015.**

Heard Shri Kavimandan, Advocate holding
for Shri Khapre, learned counsel for the applicants/
petitioners and Shri Khubalkar, learned AGP for
respondent Nos. 1 & 2.

This Court has issued notice on 16.01.2015.

The learned AGP is opposing any
intervention. However, during hearing we find that the
applicants have filed CA No. 157 of 2015 seeking leave
to withdraw the present writ petition itself.

After hearing the learned counsel and
perusal of application, it appears that dismissal escaped
attention of the learned counsel. The petitioner cannot
be blamed for it. In the circumstances, without going
into the merits of the prayer for condonation of delay
and as writ petition has been dismissed for want of
prosecution, we condone the delay and MCA St. No.
630 of 2015 is directed to be registered.

After the MCA is registered, the order dated

10.09.2014 in Writ Petition No. 3733 of 2000 shall stand recalled and MCA shall stand allowed.

WRIT PETITION NO. 3733/200 & CA NO. 157/2015

Heard the respective counsel.

Writ Petition was dismissed in default and the same has been restored today only by condoning delay. The applicants have sought leave to withdraw the petition.

The learned AGP has pointed out that the challenge was to the order dated 04.10.2000 passed by the Collector under Section 308 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. As the petitioners want to withdraw the present petition, it is not necessary for this Court to go into the merits of the controversy.

Writ Petition is disposed of as withdrawn. Civil Application is also disposed of. No order as to costs.

JUDGE

JUDGE

**G.S.*