

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

Writ Petition No.1187/2012

(Shakuntala M. Naidu and another .vs. State of Maharashtra and ors.)

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

Court's or Judge's orders.

Mr. P.C. Madkholkar, Advocate for Petitioners.
 Mrs. M.H. Deshmukh, AGP for respondents No. 1 to 3.
 Mr. N.A. Gaikwad, Advocate for Respondent No.4.

CORAM : B.R. Gavai & Indira K. Jain, JJ.

DATED : June 11, 2015.

The learned counsel for the petitioners has filed a pursoris seeking liberty to withdraw the writ petition.

Mr. Gaikwad, learned counsel appearing on behalf of the respondent no.4 has raised an objection. He has stated that the petitioners during the pendency of the present proceedings had initiated other proceedings before the State Government and after obtaining a favourable order in the said proceedings, are seeking liberty to withdraw the present writ petition.

We find that the petition which arises before this Court arises out of an order passed under the provisions of the Land Acquisition Act, 1894 whereas the proceedings to which the learned counsel for the respondent no.4 refers are under the provisions of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963.

In any case when the petitioners do not want to proceed with the present petition, they cannot be compelled to continue with the petition.

If the respondent no.4 has any grievance with regard to the order passed in the proceedings under the provisions of Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963, he is at liberty to take such proceedings as are permissible in law.

The writ petition is, therefore, disposed of as withdrawn.

JUDGE

JUDGE

halwai