

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Writ Petition No. 3013 of 2015

District : Parbhani

Aruna Murlidharrao Dahale,
Age : 60 years,
Occupation : Business,
R/o. Gandhi Park, Parbhani,
Taluka & District : Parbhani.

.. Petitioner.

versus

1. The State of Maharashtra,
Through the Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.

2. The Commissioner,
Parbhani City Municipal Corporation,
District : Parbhani.

.. Respondents.

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Mr. Arvind S. Deshmukh, Advocate, for the petitioner.

*Mr. A.P. Basarkar, Asst. Government Pleader, for
respondent no.1.*

Mr. Mahesh S. Deshmukh, Advocate, for respondent no.2.

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 3RD MARCH 2016

PER COURT :

1. Heard the learned Counsel for respective parties.

2. Mr. Deshmukh, the learned Counsel for respondent no.2 - Corporation, states that action has been taken under Section 81-B of the Maharashtra Municipal Corporations Act and the petitioner herein has an alternate remedy under Section 81-F of the said Act.

3. In the light of that, the learned Counsel for the petitioner, as such, seeks leave to withdraw the Writ Petition with liberty to file appeal before the District Judge.

4. The Writ Petition, as such, is disposed of as withdrawn with liberty as prayed for.

5. The interim order passed by this Court on 17th March 2015 shall continue for further period of 15 days, so as to enable the petitioner to move appropriate Court for interim orders.

6. The Court where appeal would be filed, shall consider the time spent in prosecuting the present Writ Petition. All contentions of respective parties are kept open. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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