

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO. 3792 OF 2016

Salim Khan S/o. Moin Khan & Ors.

PETITIONERS

V E R S U S

The State of Maharashtra & two others

RESPONDENTS

Mr. G.R. Syed, Advocate for the Petitioners
Mr. V.H. Dighe, A.G.P. for the Respondent No.1 & 2 - State
Mr. S. S. Bora, Advocate for Respondent No.3

**CORAM : A.V. NIRGUDE &
V.L. ACHLIYA, JJ.**

DATE : 4th April, 2016

PER COURT :

1. By consent of the learned counsel for the parties, the matter is taken up for final hearing.
2. Heard the learned counsel for the parties.
3. Mr. Bora, learned counsel for the Respondent - Corporation states that action has been taken under Section 81-B of the Maharashtra Municipal Corporations Act and the petitioners herein have an alternate remedy under Section 81-F of the said Act.

4. In the light of that learned counsel for the petitioners seek leave to withdraw the Writ Petition with liberty to file appeal before the District Judge.

5. The Writ Petition stands disposed of as withdrawn with liberty as aforesaid.

6. The order of *status quo* passed by this Court shall continue for further period of 15 days, so as to enable the petitioners to move the appropriate Court for interim orders.

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

(V.L. ACHLIYA, J.)

(A.V. NIRGUDE, J.)