

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7958 OF 2016

Subhash Ananda Tambe and Ors. ... Petitioners

Versus

State of Maharashtra and Ors. ... Respondents

Mr. Milind Sathe, Sr. Advocate a/w Mr. S.A. Sawant, Mr. Himanshu Kode for the petitioners.

Mr. Sagar A. Rane, for respondent nos. 4 and 5.

Mr. A.A. Joshi for respondent no. 3.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 14, 2016.**

P.C.

Parties through their counsel.

2. After arguing for some time, learned senior counsel for the petitioner seeks leave to withdraw this petition with liberty to the petitioners to challenge the impugned order dated 27.6.2016 Exh. P passed by the Sub Divisional Officer/Competent Authority before the Commission as also for the enforcement of the sanctioned map for laying down the transmission line in question. He however, made a limited prayer that for a period of two weeks from today, interim protection granted by this Court be continued, enabling the

petitioners to approach the Commission and seek prayer for interim relief.

3. Having considered the submissions made by the learned counsel for the petitioners, we allow the petitioners to withdraw this petition with liberty as aforesaid. The interim order passed by this Court shall continue for the period of two weeks enabling the petitioners to apply for interim order before the Commission.

4. Needless to say that the continuation of the interim order for the period of two weeks shall not be construed that we have expressed our opinion on the petitioner's matter on merits. The Commission shall be free to examine the prayer for interim relief as also the revision on its own merits in accordance with law.

5. The petition is disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)