

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8491 OF 2016

Messrs. Moosa Haji Mohamed Killedar
and brothers and ors.
versus

....Petitioners

The State of Maharashtra and ors.

...Respondents

Mr. A. G Damle, senior counsel with Ms. Swati H. Sagvekar, advocate for
the petitioners.

Mr. P. P. Kakde, AGP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATE : 2nd AUGUST, 2016.

P. C. :

Heard Mr. Damle, learned senior counsel for the petitioners
and Mr.Kakde, AGP for the State.

2 The sole grievance raised by Mr. Damle, learned senior counsel in this petition is that the land in question is sought to be allotted to 3rd party during the pendency of the petitioners' appeal before the State Government. Mr. Kakde, learned AGP having taken instructions makes a statement that the petitioners' appeal is already dismissed by an order dated 4th June, 2012. A copy of the said order is furnished to Mr. Damle, learned senior counsel, yesterday.

3. In the above circumstances, Mr. Damle seeks leave to withdraw the petition with liberty to challenge the said order passed in the appeal by filing appropriate proceedings before an appropriate authority. Leave with liberty as prayed for, is granted. The petition is disposed of as withdrawn.

4. The petitioner was protected by an order dated 1st October, 2010 passed in writ petition No.6521 of 2010 till disposal of its appeal and, in the event, the appellate order is adverse to the interests of the petitioners, the protection would continue to operate for a period of two weeks from the date of communication of the said order.

5. Since the order in appeal was communicated yesterday, the protection granted to the petitioner will be continued for a period of two weeks from 1st August, 2016.

(ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]