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| Dr. Prem Balram Nichani and Anr.} | Petitioners |
| versus                            |             |
| State of Maharashtra and Ors. }   | Respondents |

Mr. Drupad S. Patil for Respondent No. 4.

**DATED :- FEBRUARY 12, 2016**

The issue raised in this Writ Petition is identical to Writ Petition No. 11253 of 2014.

2) On 9<sup>th</sup> February, 2016, that Writ Petition was withdrawn with liberty to adopt appropriate proceedings including a Suit in a competent Civil Court.

3) The contesting Respondent in this Writ Petition also brings to the notice of the Petitioners' Advocate that order and Mr. Joshi, learned Senior Counsel appearing for the Petitioners in

this Petition does not dispute that the issue in both the Petitions is identical.

4) Therefore, he agrees that the same order be passed, but reserving all the remedies, rights and contentions of the Petitioners intact.

5) In such circumstances, we pass the following order:-

(i) Leave to withdraw the Writ Petition with liberty to adopt appropriate proceedings including a Suit in a competent Civil Court is granted.

(ii) To enable the Petitioners to adopt such remedies including bringing in a Suit, we would continue the interim order passed in this Petition for a period of 12 weeks from today. The initial grant as also continuation is without prejudice to the rights and contentions of all parties and shall not bind any Court or Forum which is approached by the parties.

(M.S.SONAK, J.)

(S.C.DHARMADHIKARI, J.)