

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8422 OF 2016

Devyani International Ltd.Petitioner
versus
The State of Maharashtra and anr.Respondents
and

WRIT PETITION NO.8638 OF 2016

M/s. Siddhivinayak Builders and DevelopersPetitioner
versus
The State of Maharashtra and ors.Respondents

Mr. Surel Shah i/b. Mr. Harshwardhan Salgaonkar, advocate for the petitioners.
Mrs. M. P. Thakur, AGP for the State.
Mr. Sandeep Vishnupant Marne, advocate for the Corporation.

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

DATE : 14th OCTOBER, 2016.

P. C. :

Mr. Shah, learned counsel for the petitioners, having taken instructions, seeks leave to withdraw these petitions with liberty to challenge the Development Control Rules of Navi Mumbai Municipal Corporation so far as they relate to the parking space for restaurants. Leave with liberty as prayed for, is granted. The writ petitions are dismissed as withdrawn.

2. Mr. Shah, learned counsel for the petitioners, submits that the petitioners may be permitted to remove all the materials, machineries, fixtures and fittings lying in the subject premises. Mr. Marne, learned counsel for the Corporation has no objection in this regard.

3. Mr. Shah, learned counsel for the petitioners, at this stage, makes a statement that the petitioner in the above petitions does not intend to run business of restaurant in the subject premises without obtaining the trade license. The petitioners are directed to file an affidavit on record to that effect. A copy of the said affidavit shall be given to Mr.Marne, learned counsel for the Corporation and within seven days from the receipt of such affidavit, the Corporation shall de-seal the subject premises.

(ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]