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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.1467 OF 2016**

Ganpati Manjunath Kanchugar

..Petitioner

Versus

Brihanmumbai Mahanagarpalika & Ors.

..Respondents

.....

Mr. Shamrao B. Gore for the Petitioner.

Mr. H. C. Pimple for the Respondent no.1.

.....

**CORAM: M. S. SANKLECHA &
A. K. MENON, JJ.****DATE : 23RD JUNE, 2016**

PC.:

1. We heard the petitioner for some time but were not inclined to interfere with the impugned orders as it involved disputed questions of fact. However, considering the fact that the petitioner was a Senior Citizen of 78 years of age, we asked Mr. Pimple, whether the Corporation could adopt a compassionate approach within the four corners of law to resolve the dispute.

2. At this, Mr. Pimple, the learned counsel appearing for the Respondent-Corporation very graciously stated keeping in view the petitioner's age it would hear the petitioner and make a sincere attempt to resolve the dispute between the Corporation and the petitioner, in

accordance with law. Mr. Pimple further states that the process of hearing the Petitioner and taking a decision in accordance with law would be completed within a period of four weeks from today. It is also stated that in case the dispute is not resolved in favour of the petitioner, the Respondent-Corporation will not act upon the orders of attachment dated 26h February, 2016 for a period of further three weeks of its communicating the decision.

3. The petitioner as well as the Respondent-Corporation are agreed that the present Petition would be treated as a representation on behalf of the petitioner. Needless to state the petitioner will attend the pending hearing when called for by the officer of the Corporation.

4. In view of the above statement made on behalf of the Respondent-Corporation, Mr. Gore, the learned counsel seeks to withdraw the Petition.

5. The Petition is dismissed as withdrawn in the aforesaid terms.

(A. K. MENON, J.)

(M. S. SANKLECHA, J.)