

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.1190 OF 2016**

**Gazamfar Muktar Shaikh : Petitioner.**  
**versus**  
**Mumbai Housing and Area Development**  
**Board (MHADA Unit) : Respondent.**

**Mr. S K Dubey for the Petitioner.**  
**Ms. Aparna Muralidharan i/by Mr. P G Lad for the Respondent.**

**CORAM : R. M. SAVANT, J.**  
**DATE : 19<sup>th</sup> September 2016**

**P.C.**

1 In view of the alternate remedy by way of an Appeal available to the Petitioner under Regulation 18(4) of the MHADA ( Establishment, Management, Sell, Transfer and Exchange of Tenament) Regulations, which Appeal lies to the Chief Executive Officer of the MHADA, the learned counsel for the Petitioner Shri S K Dubey seeks withdrawal of the above Writ Petition with liberty to invoke the said remedy. The Writ Petition is accordingly allowed to be withdrawn with liberty as prayed for. Needless to state that the contentions of the parties are kept open for being urged before the Appellate Authority. Further needless to state that the Appellate Authority would decide the Appeal on its merits and in accordance with law.

**[R.M.SAVANT, J]**