

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.96 OF 2016

Akash Ganga Coop Hsg Society Petitioners

Vs.

The State of Maharashtra & Others Respondents

Mr. B.S. Nayak for the Petitioners.

Mr. M.A. Sayed, AGP, for the Respondent-State.

Mr. Abhijeet A. Desai for Respondent No.2.

CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.

DATE : FEBRUARY 05, 2016

P.C:

1. The High Power Committee has been approached by the petitioners admittedly.

2. In view of the Full Bench Judgment of this Court, the High Power Committee would have to be approached first and though Writ Petition under Article 226 of the Constitution of India would be maintainable, once the petitioners have approached the Committee and equally that Committee can

grant full relief, we refrain from entertaining this Writ Petition.

3. In the event the petitioners desire to make any application for urgent ad-interim order or protection, the High Power Committee may take the same on record and deal with it expeditiously.

4. In any event, it must endeavour now to decide the main matter also. The High Power Committee was finding it difficult to proceed in the light of pendency of this Writ Petition. Now that we have not entertained the Petition and disposed it off, the High Power Committee is free to decide the pending application in accordance with law. All contentions of both sides are kept open.

5. We have passed this order in the light of the communication, dated 17-10-2015, from the High Power Committee to the petitioners, a copy of which is taken on record and marked "X" for identification.

(G.S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)