

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.15184 OF 2008

ORDER:

The petitioner is a Member of 5th respondent Primary Agricultural Cooperative Society (PACS) complains against the inaction of respondents 2 to 4 in preventing respondents 5 and 6 from constructing a godown in R.S.No.373/2, which according to the petitioner is a Cart Track, as illegal and unconstitutional.

At the time of hearing, learned counsel for the petitioner submits that there are changed circumstances; that with the passage of time and also that the petitioner was unsuccessful in getting the interim order when the writ petition was taken up for admission and respondents 5 and 6 have completed construction of godown, hence, he requests the Court to permit him to withdraw the Writ Petition with liberty to workout the rights individually as a Member or as a person, who has been using the subject Cart Track for ingress and egress.

The Writ Petition is dismissed as withdrawn by granting leave as prayed for. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT

FEBRUARY 29, 2016

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Dt: 29.02.2016

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