

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (STAMP) NO.4172 OF 2017

Mrs. Suneela Anand Gupte & Anr. ...Petitioners
Versus
The State of Maharashtra & Anr. ...Respondents

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Mr. S.M. Gorwadkar, senior Advocate i/b. Mr. N.A. Mogre for the
Petitioners.

Mr. P.G. Sawant, AGP for the Respondent -State.

**CORAM : RANJIT MORE AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 23rd JANUARY, 2018.

P.C.:-

Mr. Gorwardkar, the learned senior counsel for the
Petitioners, upon instructions, seeks leave to withdraw the Petition
with liberty to file representation before the State Government in
Revenue and Forest Department for release of the subject land, since it
was not utilised for the purpose for which it was acquired. Leave with
liberty as prayed for is granted.

2. The Petition is dismissed as withdrawn.

3. It is made clear that we have not gone into the merits of the
matter and all points and contentions of the respective parties in this
regard are expressly kept open.

4. In the event, such a representation is filed, the State Government shall decide the same independently on its own merits and in accordance with law.

(SMT. ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)