

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

WRIT PETITION NO.1945 OF 2013

Balu Kanhu Gavade	...Petitioner
vs.	
Kalyan-Dombivli Municipal Corporation, through Commissioner	...Respondent

**WITH
CIVIL APPLICATION NO.1707 OF 2013
IN
WRIT PETITION NO.1945 OF 2013**

Sai Vitthal Tower ('A' Building) Co-op Housing Society Ltd. Through its Secretary	...Petitioner
vs.	
Balu Kanhu Gavade	...Respondent

**AND
CIVIL APPLICATION NO.1708 OF 2013
IN
WRIT PETITION NO.1945 OF 2013**

Shri Sadanand Anand Shetty	...Petitioner
vs.	
Balu Kanhu Gavade	...Respondent

Mr. R. S. Datar for the Petitioner.
Mr. A. S. Rao for Respondent No.1/Corporation
Mr. Tanmay Vispute i/b Mr. Sachin S. Punde for the Applicant in
CAW-1707/2013.

**CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.**

JANUARY 06, 2017.

P.C.

. Learned counsel for the Petitioner submits that the Petitioner would resort to appropriate remedy by filing Civil Suit in respect of the notice issued by the Kalyan Municipal Corporation dated 13/12/2013. The learned counsel for the Petitioner, therefore seeks leave to withdraw the petition with liberty to resort to an alternate remedy. Keeping open all the issues, leave is accordingly granted with liberty as prayed for.

2. Status-quo as of today be maintained for 3 weeks.

(M. S. KARNIK, J.)

(NARESH H. PATIL,J.)