

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO.12922 OF 2017**

Express Newspapers Pvt.Ltd.

... Petitioner

Versus

The Board of Trustees of the Port
of Bombay and Ors.

... Respondents

Mr. Vishal Kanade a/w Reshma Chitnis i/by M/s. Chitnis Vaithy & Co.
for the petitioner.

**CORAM : SHANTANU KEMKAR &
G.S. KULKARNI, JJ.
NOVEMBER 23, 2017**

P.C.:

Not on board. Taken on production board in view of urgency.

2. After arguing for some time, learned counsel for the petitioner seeks leave to withdraw this petition with liberty to the petitioner to raise the point of jurisdiction at the time of final arguments of the matter before the Estate Officer, on the basis of the judgment passed by the Supreme Court in the case of Dr. Suhas Pophale Vs. Oriental Insurance Co. Ltd. and Ors. reported in [(2014) 4 Supreme Court Cases 657].

3. Writ petition is dismissed as withdrawn with a liberty as prayed

for.

4. Needless to say that while deciding the matter finally, the Estate Officer shall consider petitioner's ground about jurisdiction on the basis of the said judgment passed by the Supreme Court, uninfluenced by the order which is impugned in this petition.

5. With the aforesaid, Writ Petition is disposed of.

(G.S.KULKARNI, J.)

(SHANTANU S. KEMKAR, J.)