

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 3269 OF 2017

Shiv Sabari Developers

... Petitioners

Versus

State of Maharashtra and Ors.

... Respondents

Ms. Deepa Pahuja for the petitioners.

Mr. H. Takke, AGP for respondent nos.1 to 4 State.

**CORAM : SHANTANU KEMKAR &
R.G. KETKAR, JJ.
DECEMBER 12, 2017**

P.C.:

Parties through their counsel.

The case of the petitioners is that challenging the order passed by the Upper Commissioner, Konkan Division, Mumbai, the petitioners had filed Revision before the State Government.

2. After Revision was heard and closed for orders but before the orders could be passed, the petitioners had moved an application on 30.06.2016 seeking withdrawal of the Revision.

3. According to petitioners, no order has been passed by the respondent no. 2 on the said application dated 30.06.2016 seeking

withdrawal of the Revision as yet. In the circumstances, petitioners have filed this petition seeking directions to respondent no. 2 to dispose of the said application as also the Revision by dismissing the Revision Petition as withdrawn.

4. In the alternative a prayer has been made during the course of the hearing by the learned counsel for the petitioners that this Court itself may pass appropriate order as more than one year has already been passed after filing of the application seeking withdrawal of the Revision.

5. Having considered the submissions made by the learned counsel for the petitioners as also the learned AGP, we dispose of the petition by allowing the application dated 30.6.2016 Exhibit "D" filed by the petitioners seeking withdrawal of the Revision filed by them before the second respondent. As a consequence, petitioner's Revision filed before respondent no. 2 also stands disposed of as withdrawn.

6. With the aforesaid directions, writ petition stands disposed of.

(R.G. KETKAR, J.)

(SHANTANU S. KEMKAR, J.)