

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

WRIT PETITION NO.11847 OF 2016

Shanker Changa Chogle

.. Petitioner

V/s.

Administrator (Prashasak), Nirmal
Gram Panchayath, Pajpandhari

.. Respondents

Mr.L.R.Castelino for the petitioner

Mr.Sumit S. Kothari for the respondent

CORAM: K.K. TATED, J

DATED : NOVEMBER 29, 2018

P.C. :

1 Heard.

2 By this petition under Article 227 of the Constitution of India the Petitioner challenges the concurrent finding of facts recorded by both the courts below rejecting Petitioner's Application for injunction restraining respondent from demolishing unauthorised construction carried out by the Petitioner.

3 After arguing for some time, the learned counsel for the Petitioner after taking instruction from his client who is present in court makes a statement that Petitioner may be allowed to

withdraw the Writ Petition unconditionally and suit be expedited.

4 To that effect, he has given in writing. Same is taken on record and marked "X" for its identification. Same is accepted. Hence, following order is passed:

a Writ Petition stands disposed of as withdrawn unconditionally.

b Hearing of Regular Civil Suit No. 120 of 2013 pending before the Civil Judge, Junior Division Dapoli is expedited.

c This court expects Trial Court to decide Regular Civil Suit No. 130 of 2013 as early as possible but in any case on or before end of June, 2019.

d No order as to costs.

(K.K. TATED, J.)