

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 7062 OF 2016****ALONGWITH****CIVIL APPLICATION NO. 1517 OF 2016****IN****WRIT PETITION NO. 7062 OF 2016****Smt.Suman Trimbak Dhake & Ors.****..... Petitioners****VERSUS****The Competent Authority,
District Deputy Registrar of Co-operative
Societies & Ors.****..... Respondents**

Mr.Tushar Kale for the Petitioners.

Mr.J.A.Madane, A.G.P. for the State – Respondent no. 1.

Mr.P.G.Parkar for the Respondent no.2.

CORAM : R.D. DHANUKA, J.**DATE : 27th FEBRUARY, 2018****P.C.**

It is not in dispute that the deed of conveyance is already executed in adjudication of the impugned order which is subject matter of this petition. Learned counsel for the petitioners seeks liberty to withdraw this petition with liberty to file a civil suit for adjudication of the title of the petitioners in respect of the property in question. If any such suit for adjudication of title and other incidental reliefs is filed by the petitioners, the same shall be decided on its own merits. It is made clear that the issue of title is not decided by the authority while passing the order of deemed conveyance. Writ petition is dismissed as withdrawn with liberty as prayed. No order as to costs.

2. In view of the disposal of the writ petition, civil application does not survive and is accordingly disposed of.

[R.D. DHANUKA, J.]