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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1222 OF 2015
WITH
CIVIL APPLICATION NO.1237 OF 2018
IN
WRIT PETITION NO.1222 OF 2015

Smt.Harshala S. Phansekar

...Petitioner

V/s.

The State of Maharashtra & Ors.

...Respondents

Mr.V.R. Tripathi for the Petitioner.

Mr.S.H. Kankal, A.G.P. for the State – Respondent Nos.1, 2 and 4.

Mr.G.B. Walawalkar i/b Mr.Shankar Thorat for the Respondent No.3.

CORAM : R.D. DHANUKA, J.

DATE : 25TH JUNE, 2018.

P.C. :-

1. Against the order impugned in this writ petition, an appeal is provided under section 35(1A) of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (for short the "SLUM Act") before the Grievance Redressal Committee constituted under the Act.

2. Mr.Tripathi, learned counsel appearing for the petitioner on instructions seeks liberty to withdraw this writ petition with liberty to file an appeal under section 35(1A) of the SLUM Act within two weeks from today. The statement is accepted.

3. The writ petition is dismissed as withdrawn with liberty as prayed. *Ad-interim* relief granted by this Court on 5th February, 2015 to continue for a period of four weeks from today. The petitioner would be at liberty to apply for continuation of the *ad-interim* relief granted by this Court before the Appellate Authority. The contesting respondents would be at liberty to apply for vacating the *ad-interim* passed passed by this Court before the Appellate Authority. The papers and proceedings in appeal shall be served upon the respondent no.5.

4. It is made clear that this Court has not expressed any views on the merits of the matter. All the contentions of both the parties are kept open. The Competent Authority shall decide the appeal, if any, filed by the petitioner expeditiously and not later than three months from the date of the first hearing.

5. In view of withdrawal of the writ petition, the Civil Application No.1237 of 2018 filed by the respondent no.5 does not survive and is accordingly disposed. No order as to costs. The petitioner is directed to convey this order to the respondent no.5 through his advocate.

6. All the parties as well as the Authorities to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)