

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9132 OF 2015
Hamiddullah Shaikh and Others. ..Petitioners.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. S. A. Oak i/b Sagar Joshi for the Petitioner.
Mrs. M. P. Thakur, AGP for the Respondent-State.
Mr. S. G. Surana for Respondent No. 5
Mr. R. P. Sakhdeo for Respondent No. 4.
Mr. Arvind Aswani i/b J. G. Reddy for Respondent No. 2 and 3.

Coram : Ranjit More &
Smt. S. S. Jadhav, JJ.
Date : **February 26, 2018.**

P. C. :

1. Mr. Oak, learned Counsel for the Petitioner does not dispute that notice/notice impugned in this petition is appealable under section 35 of the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971. In that view of the matter, he seeks leave to withdraw the writ petition with liberty to approach the appellate authority. Leave with liberty as prayed for is granted. Petition is allowed to be withdrawn and is dismissed as such.
2. It is made clear that we have not gone into merits of the matter. All points and contentions of the respective parties are kept open. In the event, Petitioner files such an appeal, the same be decided independently, on its own merits and in accordance with law.
3. In order to enable the Petitioner to approach the appellate authority, ad-interim relief granted on 11th September 2015 shall remain in operation for the period of two weeks from today.

[Smt. S. S. JADHAV, J.]

[RANJIT MORE, J.]