

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

WRIT PETITION NO. 10600 OF 2014

Sou. Sharada Tukaram Kadam
& Ors.

..Petitioners

v/s.

The Divisional Commissioner,
Pune Division and Ors.

..Respondents

Mr. Dilip Bodake for the Petitioners.

Mrs. M.P.Thakur, AGP for the Respondent/State.

Mr. Manoj Patil a/w. Y.S.Lengare i/b. Suman Y Lengare for the
Respondent Nos.8 to 10 and 15 to 17.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : JANUARY 09, 2018.**

P.C.

1. The learned AGP for the State and the learned Counsel for the respondent nos. 8 to 10 and 15 to 17 have stated that all the petitioners, except the Petitioner No.6 Shahadu Piraji Kadam have received the compensation and that possession in respect of their land was also taken and allotted to the respondent nos.8 to 10, who in turn have sold the same to the respondent nos.15 to 17. They

therefore claim that these petitioners are not entitled to challenge the acquisition. In the light of the said statement, which is not disputed by the petitioners, Shri Bodake, the learned Counsel for the petitioners, on instructions of the petitioner nos.9, 15 and 20, who are present in the Court, seeks leave to withdraw this petition with liberty to file fresh petition only on behalf of petitioner no.6 Shahadu Piraji Kadam.

2. In the circumstances, leave with liberty is granted. The petition is dismissed as withdrawn.

3. It is made clear that we have not gone into the merits of the claim made by the petitioner no.6. All points and contentions are expressly kept open.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)