

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3917 OF 2016

Chimanlal L. Shah & Ors.

...Petitioners

V/s.

The Competent Authority & D.D.R. & Ors.

...Respondents

Mr.Surel Shah I/b Ashoka Law Firm for the Petitioners.

Mr.Amogh Singh with Mr.Bhavin R. Bhatia and Mr.Abhishek Mishra for
the Respondent No.2.

CORAM : R.D. DHANUKA, J.
DATE : 14TH AUGUST, 2018.

P.C. :-

1. Mr.Shah, learned counsel appearing for the petitioners seeks liberty to withdraw this writ petition with liberty to file a civil suit for adjudication of the alleged title of the petitioner in the property which is the subject matter of the order of deemed conveyance impugned in this writ petition.

2. The writ petition is dismissed with liberty as prayed. If any such suit for adjudication of the alleged title of the petitioner is filed by the petitioner, the same shall be decided by the Civil Court on its own merit. The Competent Authority does not decide the title of the property in the said proceedings under the provisions of section 11 of

the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

(R.D. DHANUKA, J.)