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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12809 OF 2017 WITH
CIVIL APPLICATION NO.423 OF 2018**

Khilari Infrastructure Pvt. Ltd.	... Petitioner
Vs.	
Pune Municipal Corporation and Ors.	... Respondents

Ms. Manjiri S. Parasnis for the Petitioner.
Mr. S.B. Talekar i/by Talekar & Associates for the Respondents.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 7th MARCH, 2018

PC.

1 Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the first to third respondents. Only on the ground that principles of natural justice were not strictly followed before issuing impugned communication dated 11th July, 2017, the learned counsel appearing for the respondents states that the impugned communication will be withdrawn and due process of law will be followed by the respondents. We accept the statement. In view of the statement, the Petition need not be kept pending and the same is disposed of by passing the following order :-

ORDER

- (i) The impugned communication dated 11th July, 2017 (Exhibit – F) stands withdrawn;
- (ii) We make it clear that the communication has been withdrawn only on the ground that principles of natural justice have not been complied with. Therefore, it will be open for the respondents to initiate a fresh action in accordance with law for debarring or for blacklisting the petitioner;
- (iii) All contentions of the parties are kept open;
- (iv) The Petition is disposed of on above terms;
- (v) In view of the disposal of the Petition, Civil Application does not survive and the same is disposed of.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)