

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

WRIT PETITION (ST.) NO.35474 OF 2016

Prakash Baburao Rode	..	Petitioner
Vs.		
Yogiraj Heights Co-op. Housing Sanstha Ltd. & Ors.	..	Respondents

Mr.Santaram A. Tarale for the petitioner.
Ms.K.N. Solunke, AGP for the respondent no.2-State.

CORAM : R.D. DHANUKA, J.
DATE : 28th February 2018

P.C.:

. It is not in dispute that the conveyance is already executed during the pendency of this petition pursuant to the impugned order. Learned counsel for the petitioner seeks liberty to withdraw this petition with liberty to file a civil suit for adjudication of title.

2. If any suit is filed by the petitioner for adjudication of the title in respect of the property in question, the same shall be independently decided in accordance with law. It is made clear that in the impugned order passed by the authority, issue of title has not been decided.

3. Petition is dismissed as withdrawn with liberty as prayed. No order as to costs.

R.D. DHANUKA, J.