

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14121 OF 2018

M/s. Flavex Aromats India Pvt. Ltd. and another ... Petitioners
Vs.
The Collector, Pune and others ... Respondents

Mr. N. V. Walawalkar, Senior Advocate i/b. Mr. S. M. Sabrad for
Petitioners.

Mr. P. P. Pujari, AGP for Respondents-State.

CORAM : R. G. KETKAR, J.
DATE : DECEMBER 12, 2018

P.C. :

Not on Board. At the request of Mr. Walawalkar, taken up in the
production Board.

2. Heard Mr. Walawalkar, learned Senior Counsel for the petitioners
and Mr. Pujari, learned AGP for respondents No.1 to 3-State.

3. By this Petition under Article 227 of the Constitution of India,
petitioners have challenged the order dated 02.11.2018 passed by the
Additional Collector, Pune in proceedings filed under Section 63(1-A)
of the Maharashtra Tenancy and Agricultural Lands Act (for short 'Act').
By that order, the Additional Collector has allowed the application filed
by the respondents No.5 to 27 and directed Tahsildar, Mulshi to take
action and submit the compliance report to the office of the Collector.

4. Mr. Walawalkar submits that petitioner No.2 is present in the
Court. He has tendered photocopy of his driving licence, which is taken
on record and marked 'A' for identification. Upon taking instructions
from him, he seeks permission to withdraw this Petition with liberty to

file revision under Section 76 of the Act before the Maharashtra Revenue Tribunal, Pune. He submits that within one week from today, petitioner will file revision application along with application for interim relief. He submits that ad-interim order staying the operation of the impugned order may be passed so as to enable the petitioners to obtain suitable interim order.

5. In view thereof, on the motion made by Mr. Walawalkar, Petition is allowed to be withdrawn with liberty as prayed for. It is made clear that I have not examined the merits of the case. Petitioners shall file revision application along with application for interim relief within a period of one week from today. If such application is filed, the impugned order shall not be given effect to for a period of two weeks from today. It is made clear that the limited protection granted by this Court shall not be construed as an expression of merits either way. All contentions of the parties, on merits, are expressly kept open.

6. All parties, including Additional Collector, Pune, to act upon the authenticated copy of this order.

(R. G. KETKAR, J.)

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