

DDR

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.209 OF 2018**

Darode Jog Homes Pvt. Ltd.	...Petitioner
Vs.	
State of Maharashtra & ors.	...Respondents

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Mr. Saket Mone a/w. Mr. Subit Chakrabarti i/b. Vidhii Partners
for the petitioner.

Mr. Hemant Haryan, AGP for State – respondent No.1.

Mr. Shardul Singh for respondent No.2.

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**CORAM : SHANTANU S. KEMKAR &
M.S.KARNIK, JJ.**

DATE : 3rd APRIL, 2018.

P.C. :

Learned Counsel for the parties submit that the Maharashtra Revenue Tribunal has been designated as Ad-hoc Tribunal under Real Estate (Regulation and Development) Act, 2016 (RERA). They submit that the said Ad-hoc Tribunal is functional and is hearing the appeals against the order of RERA. In the circumstances, learned Counsel for the petitioner seeks leave to withdraw this petition with liberty to file appeal before

the Appellate Tribunal against the impugned order. In case the said appeal is filed by the petitioner within 30 days the same shall not be dismissed on the ground of limitation and shall be decided on its own merits.

2. The amount deposited by the petitioner before this Court shall remain to be deposited and shall be subject to outcome of the decision as may be taken by the Appellate Tribunal.

3. The interim order, if any, to continue till the final decision of the Appellate Authority.

4. All other contentions are kept open.

5. The Writ Petition is disposed of as withdrawn with liberty as aforesaid.

(M.S.KARNIK, J.)

(SHANTANU S. KEMKAR, J.)