

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

WRIT PETITION (LODG.) NO. 314 OF 2018

Swastik Realtors and Anr.

... Petitioners.

V/s.

Union of India and Ors.

... Respondents.

Mr. Rajiv Narula a/w. Mr. Rajan Menezes i/b. Jhangiani Narula and Associates for the Petitioners.

Mr. Anil C. Singh, ASG a/w. Mr. Parag Vyas, Mr. D.P. Singh and Ms. Indrayani Deshmukh for Respondent Nos. 1 to 4.

Ms. Jyoti Chavan, AGP for Respondents 5 and 6.

Mr. Sagar Patil for Respondent 7.

Ms. Shilpa Kapil for Respondent 8.

***CORAM : S.C. Dharmadhikari and
Smt. Bharati H. Dangre, JJ.***

27 June, 2018.

P.C. :-

After this Writ Petition was argued for some time and this Court did not deem it fit and proper to interfere in the accuracy requirement and stipulated by the Ministry of Civil Aviation and Office of the Director General of Civil Aviation, particularly concerning air travel safety, Mr. Narula, on instructions, seeks leave to withdraw the Writ Petition with liberty to challenge the final

order in Appeal before the Appellate Authority which has been set up in terms of the Notification dated 12 April 2018 of the Ministry of Civil Aviation which was published in the Government Gazette on 12 April 2018 together with the Rules, copy of which is at Exhibit 'R' to the Petition.

2. We dispose of this Petition as withdrawn with liberty as prayed and observe that in the event the Appeal is brought within a period of 10 days from today, the concerned Appellate Authority shall not dismiss it on the ground that it is barred by limitation. If it is filed beyond that period, let the Petitioners satisfy that authority that it was prevented by sufficient cause from filing the Appeal. Hence, we express no opinion on either contentions of the Petitioners. Let the Respondents to this Writ Petition not take steps for demolition of the construction for 10 days from today.

(Smt. Bharati H. Dangre, J.) (S.C.Dharmadhikari, J.)