

psv

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

WRIT PETITION NO.317 OF 2017

Amogh Siddha Co-Operative Housing Society Limited	..Petitioner
Vs.	
Pramod Shankar Bhurke & Ors.	..Respondents

Mr.Samdhani, Senior Advocate, i/b. M/s.Maniar Srivastava Associates
for Petitioner.

Mr.R.D. Soni i/b. M/s.Ram & Co. for Respondent Nos.1 to 7.

Mr.Makarand Raut for Respondent No.8.

Mr.Manish Upadhye, AGP for Respondent No.9.

CORAM : G.S. KULKARNI, J.

DATE : 6th DECEMBER, 2018

P.C.:

Heard Mr.Samdhani, learned Senior Counsel for the petitioner,
Mr.Soni, learned Counsel for the respondent Nos.1 to 7, Mr.Raut,
learned Counsel for the respondent No.8 and Mr.Upadhye, learned AGP
for respondent No.9.

2. Having perused the impugned order and considering the facts and
circumstances of the case, it appears that the issues as raised by the
petitioner could not have been decided in the proceedings before the
competent authority under Section 11 of the Maharashtra Ownership
Flat (Regulation, Promotion of Construction, Sale, Management and

Transfer), Act, 1963. After the petition was heard for some time Mr.Samdhani, learned Senior Counsel for the petitioner, on instructions, would rightly seek withdrawal of the petition with liberty to agitate grievance in a suit proposed to be filed by the petitioner.

3. Accordingly, keeping all contentions of the parties on merits of the matter open, the petition is allowed to be withdrawn with liberty as prayed for. Disposed of as withdrawn. No costs.

[G.S. KULKARNI, J.]