

Sharayu Khot.

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

**WRIT PETITION NO. 887 OF 2017
WITH
NOTICE OF MOTION NO. 218 OF 2017
AND
NOTICE OF MOTION NO. 33 OF 2017
IN
WRIT PETITION NO. 887 OF 2017**

**Mr. Hukumchand Kapurchand Raisonni & ...Petitioners
Ors.**

Versus

**Mumbai Municipal Corporation of ...Respondents
Greater Mumbai & Ors.**

Mr. Mandar V. Sawant, for the Petitioner Nos. 1, 14 and 15.

Ms. Pallavi Thakar, for the Respondent – BMC.

Mr. U.S. Upadhyay, AGP for the Respondent – State.

**CORAM : ABHAY S. OKA AND
RIYAZ I. CHAGLA, JJ.**

DATE : 16 April 2018

ORDER :

1. The learned Counsel appearing for the Petitioners No. 1, 14 and 15 states that the said Writ Petitioners do not desire to prosecute the Petition. Therefore, as far as the said Petitioners are concerned, the Petition may be permitted to be withdrawn.

2. As regards the other Petitioners, the learned Counsel has no instructions, as he represents only the three Petitioners. No other advocate represents the other Petitioners. Accordingly, we dispose of the Petition by passing the following order.

(i) As far as the 1st, 14th and 15th Petitioners are concerned, the Petition stands disposed of as withdrawn;

(ii) As regards the rest of the Petitioners, the Writ Petition is dismissed for non prosecution;

(iii) Notwithstanding this order, if the Petitioners are lawfully entitled to the alternate accommodation, they are free to prosecute their claims in that behalf;

(iv) All pending Notices of Motion do not survive and the same are disposed of.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]