

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

941 WRIT PETITION NO.13710 OF 2017
WITH
WP/13996/2017
WITH
WP/13997/2017
WITH
WP/13998/2017

M/S SAIDATAA INFRASTRUCTURE PVT LTD
THROUGH ITS DIRECTOR K M NARVADE AND ORS.
VERSUS
THE STATE OF MAHARASHTRA AND ORS.

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Mr.S.G.Dodya, Advocate for Petitioners.

Mr. K.B.Jadhavar, A.G.P. for R – 1 & 2.

Mr. R.N.Dhorde, Senior Counsel i/b

Mr. V.R.Dhorde, Advocate for R – 3.

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CORAM : V.L.ACHLIYA, J.

DATE : 26/04/2019

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ORAL ORDER :

1. In view of proposal for one time settlement accepted by respondent No. 3 – The Mahanagar Co-operative Bank Ltd., Mumbai and the undertaking filed to pay the amount in installments spread over for 11 months and the order dated 01/11/2018 passed in Writ Petition No. 12459 of 2018 by the Division Bench of this Court [**CORAM : K.K.TATED AND N.J.JAMADAR, JJ.**], learned counsel for petitioners seeks permission to withdraw the petitions with liberty to file fresh petitions if occasion arose

to file such petitions.

2. Mr. Dhorde, learned Senior Counsel for respondent No. 3 - bank on instructions submits that in terms of the settlement, the possession of the property shall not be taken till the time the petitioners abide by the schedule of the payment arrived at between the parties. The order passed by the District Magistrate to take over the possession shall be implemented only in the eventuality i.e. default recorded in the order dated 01/11/2018 passed in W.P. 12459 of 2018, the statement on behalf of the respondent is accepted.

3. The petitioners are permitted to withdraw the petitions with liberty as prayed for. The petitions are disposed of as withdrawn with no order as to costs.

[V.L.ACHLIYA]
JUDGE

KNP.