

BDP-SPS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2654 OF 2015**

Kabrastan of Muslim Religion
Through Trustees
Mohamad Ali Chaus & Ors.

..... Petitioners.

V/s

Anandrao Bapusaheb Kadam
Since deceased through Legal heirs
Bindusagar Anandrao Kadam & Ors.

..... Respondents.

Mr. Prashant D. Patil for the Petitioner.
None for the Respondents.

CORAM: NITIN W. SAMBRE, J.

DATE: 27th June, 2019

P.C.:-

1] The motion is made by the learned Counsel for the Petitioners for withdrawal of the Petition with liberty to approach revenue authorities with a prayer for mutation, as, according to him, the civil suit initiated by the Petitioners for injunction was already dismissed in default before the order was passed by the Minister (State Government) on 01/06/2014.

2] In view of the aforesaid submission and having regard to the fact that Respondent has not initiated any suit against the Petitioners in relation to the suit property, the Petition stands disposed of as withdrawn with liberty to the Petitioners to approach revenue authorities with a prayer for mutation. Such prayer for mutation, if so made by the Petitioners, the same be decided by the authorities without being influenced by clause (3) of the order dated 01/06/2014 passed by the State Government.

(NITIN W. SAMBRE, J.)