

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 8650 OF 2015
WITH
CIVIL APPLICATION NO. 422 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's Orders
---	---------------------------

Mr. Akshay Deshpande i/b. Pranil Sonawane for petitioner.

Smt. P. J. Gavhane, AGP for State.

Ms. Minal J. Chandnani for Intervener.

CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 20th November, 2019.

P C. :

1. Heard learned counsel for the parties.
2. Advocate Mr. Akshay Deshpande for the petitioner submit that, by this petition he is seeking direction against the respondents to allot land situated in Survey No.2410, admg. 2 Gunthas, near Bhatia Chowk, Ulhasnagar – 5 in favour of the petitioner and to hand over the possession of the same. He submit that, during the pendency of the present writ petition, the authority allotted the said plot to the third

party i.e. Rajkumar S. Kukreja. He submit that he received instructions from his client to withdraw this writ petition with liberty to file appropriate proceeding challenging the order allotting the said plot in favour of the applicant in Civil Application No. 422 of 2016. To that effect, he has given in writing. Same is taken on record and marked X for identification. Same is accepted.

3. Hence, the following order:-

a) Writ Petition No.8650 of 2015 stands disposed of as withdrawn with liberty to file fresh petition challenging the order passed by the competent authority allotting said plot in favour of the applicant in Civil Application No.422 of 2016.

b) In view of disposal of writ petition, nothing survives in Civil Application No.422 of 2016. Hence, same stands dismissed as infructuous. No order as to costs.

(K.K.TATED, J.)

(SARANG V. KOTWAL, J.)