

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

WRIT PETITION NO. 1962 OF 2016

Sterling Court ABC Wing Chs. Ltd. & Ors. ... **Petitioners**

V/s.

State of Maharashtra & Ors. ... **Respondents**

Mr.Aseem Naptade a/w. Mr.Deepak Singh i/b. Solicis Lex for
Petitioners.

Ms.M.S. Bane, AGP for Respondent Nos.1 and 2-State.

Ms.Mamta Sadh a/w. Mr.S.R. Tejpal a/w. Mr.Dushyant Tejpal i/b.
Tejpal and Company for Respondent No.3.

Mr.Santosh Parad for Respondent No.5.

CORAM : A.S. GADKARI, J.

DATE : 9th July 2019.

P.C. :

1] The learned counsel for the petitioners fairly admitted that, various necessary and relevant documents, such as, the application preferred by the respondent No.3 under Section 11(3) of the Maharashtra Ownership Flats (Regulation of Promotion of Construction, Sale, Management and Transfer) Act, 1963 and other documents on which he places reliance are not annexed to the Petition and the

corresponding pleadings are also not incorporated in the body of the Petition. He submitted that the said documents are necessary for decision of the present petition.

2] Facing with the said difficulty, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the present petition with liberty to file a fresh petition impugning the Order dated 09/12/2015 passed by the Competent Authority i.e. respondent No.2 herein.

Leave and liberty granted.

3] Petition is disposed off as withdrawn with aforesaid liberty.

4] Ad-interim relief, granted by Order dated 29th August 2016, shall remain in force for a period of two weeks from today.

[A.S. GADKARI, J.]