

No.1 in both the petitions for the area mentioned therein.

It is necessary for the petitioner to establish its claim over the balance piece of land, if it claims that the portion of land owned/belonging to it is conveyed to the respondent No.1 in both the petitions.

2] In view thereof, the learned counsel for the petitioner, on instructions, seeks leave to withdraw both the petitions with liberty to file a substantive Suit for establishing its right and title in the part/portion of the suit property claimed by it, if permissible and maintainable under law.

All contentions of the respondents including the contention of maintainability and permissibility of filing such a Civil Suit are expressly kept open.

3] Both the Petitions are disposed off in the aforesaid terms.

4] It is made clear that, this Court has not adjudicated upon the issues involved in the present petitions and the petitions are disposed off on the basis of the leave prayed for by the Petitioner.

[A.S. GADKARI, J.]