

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition (Stamp) NO. 3525 OF 2019

M/s. Vijaya Developers
Through Authorized Representative
Mr. Anil Sawant

...Petitioner

Versus

Slum Rehabilitation Authority
And another.

.Respondents

**With
Civil Application No.387 of 2019
In
Writ Petition (Stamp) No. 3525 OF 2019**

....

Mr. Sangharsh Waghmare, Advocate for the Petitioner.

....

CORAM : R. G. KETKAR, J.

DATE : 18th FEBRUARY, 2019

P.C.

1. Not on board. At the request of Mr.Waghmare taken up in the production board.
2. Heard Mr.Sangharsh Waghmare, learned counsel for the petitioner.
3. As per the administrative order of the Hon'ble the Chief Justice, the petitioner has moved this Court as regular Court presided over by Hon'ble Mr. Justice V.L. Achliya is not available for judicial work.
4. This matter is moved by way of a praecipe dated 18.2.2019 for withdrawal of Writ Petition.
5. Mr. Waghmare submitted that the petitioner challenged the

order dated 21.6.2017 passed by the Chief Executive Officer, Slum Rehabilitation Authority, Mumbai. At the time of filing of the petition on 1.2.2019, said order was not made available to the petitioner and was made available only on 5.2.2019. He had challenged that order by filing Writ Petition as at the relevant time the Apex Grievance Redressal Committee (for short, 'Committee') was not available. He submitted that as the petition was pending in this Court, he did not file appeal/application before the Committee. He assures that within one week from today the petitioner will approach the Committee by adopting appropriate proceedings. He further submits that the petitioner has not impleaded necessary party. In view thereof, he seeks permission to withdraw the petition with liberty to file a fresh petition in this Court on the same cause of action in case the Committee is not available.

6. In view thereof, on the motion made by Mr. Waghmare, the petition is allowed to be withdrawn with liberty as prayed for and is disposed of as such. In view of disposal of Writ Petition, Civil Application No.387/2019 filed by intervenor Romell Real Estate Private Limited does not survive and is also disposed of. The petitioner shall pay the deficit court fees of Rs.50/- to the Registry within one week from today. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)