

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

CRIMINAL WRIT PETITION NO.1687 OF 2019

John The Baptist Church
Through Rudolf Valentine Andrades ..Petitioner
V/s.
The State of Maharashtra & Ors. .. Respondents

Mr.S.M. Sabrad for the Petitioner.

Ms.S.D. Shinde, APP for the Respondent-State.

Mr.R.S. Apte, Senior Advocate for Respondent No.3.

Mr.S.M. Gorwadkar, Senior Advocate i/b Sandeep Mishra-
Intervenor.

Mr.S.R. Ganbawale for the Intervenor.

Ms.Pooja Joshi for the Intervenor.

**CORAM : RANJIT MORE &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 01st APRIL 2019

P.C.

1. Mr.Sabrad, learned counsel for the petitioner on instructions, seeks leave to withdraw the Writ Petition with liberty to file an application under Section 320 of the Maharashtra Municipal Corporation Act, to the Commissioner of Respondent No.3-Municipal Corporation in respect of grievance made in the

present Writ Petition.

2. Leave with liberty is granted.

3. The Writ Petition is disposed of as withdrawn.

4. In the event the petitioner makes such application within a period of one week from today, the Commissioner of Respondent No.3-Corporation shall decide the same as expeditiously as possible and within a period of four weeks from the receipt of this order.

5. It is made clear that we have not gone into the merits of the matter and all points and contentions of all parties are kept open.

6. It is further made clear that the Commissioner of Respondent No.3 shall decide the said application after hearing the petitioner and all the affected parties and by passing speaking order.

7. In view of disposal of the Writ Petition, Criminal Application No.189 of 2019 does not survive and the same is disposed of accordingly.

(SMT.BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)