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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6664 OF 2017

Mrs.Pradnya M/Bagde & Ors.	..Petitioners.
V/s.	
Gangiri Co-operative Housing Society Ltd	..Respondent.

Mr.Ashutush R.Gole for the petitioners.

None for the respondent.

CORAM : M.S.SONAK, J.

DATE : APRIL 1, 2019

P.C.:-

Mr.Gole, learned counsel for the petitioners, on the basis of instructions from the petitioners that there has been subsequent developments in this matter. He submits that respondent-society has been ordered to be bifurcated by an order dated January 20, 2018. He submits that in view of this development, the petition might have been rendered infructuous and, therefore, he has also instructions to apply for withdrawal of the same.

2. Mr.Gole further states that the order dated January 20, 2018 has been challenged by some parties and in case the challenge is allowed, then, liberty may be granted to the petitioners to seek interim relief before the Co-operative Court as may be available under the law.

3. The request of Mr.Gole is quite reasonable and deserves to be accepted. Accordingly, on the request of Mr.Gole, leave is granted to withdraw the petition with liberty as aforesaid. It means that if the order of the competent authority dated January 20, 2018 is set aside, then, the petitioners will have the liberty to seek appropriate interim relief from the Co-operative Court. If such reliefs are applied for the same be considered on its own merits and in accordance with law and after giving opportunity of hearing to all the parties.

4. With the aforesaid observations, this petition is disposed of.

5. It is made clear that this Court has not adverted to the merits of the matter and all contentions on merits of the matter are left open to be determined by the appropriate forum at the appropriate time.

(M.S.SONAK, J.)