

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

WRIT PETITION NO. 8291 OF 2015

M/s. Bharat Udyog Limited & Anr.	..Petitioner.
Versus	
Maharashtra Industrial Development Corporation & Ors.	..Respondents.

Mr. Kamlesh Ghumare a/w. Sandhya Lokhande a/w. Kedar Puran, Advocate for Petitioners.
Ms. Shyamli Gadre a/w. Tanvi Doshi i/b. Little & Co., Advocate for Respondent Nos.1 to 3.

CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATED : 18th DECEMBER, 2019.

PC :

1. Heard the learned counsel for the parties.
2. Learned advocate Ms. Shyamali Gadre appearing on behalf of the respondents raised an objection that, in the present proceeding the petitioner is challenging the order dated 02/07/2015 passed by the National Green Tribunal Western Zone, Pune. Hence, the present petition is not maintainable in view of S.22 of the N.G.T. Act, 2010.
3. When this court declined to entertain the present writ petition, the learned Counsel Mr. Kamlesh Ghumare for the petitioners submits that he received an instruction from

his client to withdraw the present proceeding with liberty to file appropriate proceeding in this court, challenging the penalty imposed by the MIDC of Rs.15 crores. Learned counsel for the petitioner has filed a writing to that effect. The same is taken on record and marked 'X' for identification. The same is accepted.

4. Hence, the writ petition stands disposed of as withdrawn with liberty, as prayed, to challenge the penalty of Rs.15 crores imposed by the MIDC, before this court, if permissible in law.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)
