

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L.) NO.264 OF 2019

Shri. Ankush Tambe	..Petitioner
Vs.	
The Municipal Corporation of Greater Mumbai	..Respondent

Mr.Kishor Hase for Petitioner.
Ms.Preeti Gada with Ms.Ashwini Sankpal for Caveator.
Ms.Pooja Yadav for MCGM.

CORAM : G.S. KULKARNI, J.

DATE : 30th JANUARY, 2019

P.C.:

Heard learned Counsel for the petitioner, learned Counsel for the respondent-MCGM and learned Counsel for the caveator.

2. After this petition was heard for some time, learned Counsel for the petitioner fairly submits that his client would file a suit to seek reliefs as prayed in this petition and therefore, seeks leave to withdraw this petition with liberty to file a suit.

3. Accordingly, allowed to be withdrawn with liberty as prayed for.

4. All contentions of the parties on merits of the dispute are expressly kept open.

5. As the petitioner intends to file a suit, the Municipal Corporation for a period of two weeks shall not take any action under the impugned speaking order dated 23 January 2019 passed by the Designated Officer-Assistant Engineer (B & F), Ward D, Mumbai (Exhibit “J”, page 49 of the paper-book).

[G.S. KULKARNI, J.]