

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

WRIT PETITION NO. 1226 OF 2013

Sagar Avenue-I Co-operative Housing Society Limited	}	
	}	Petitioner
versus		
Municipal Corporation of Greater Mumbai and Ors.	}	
	}	Respondents

Mr.Makrand Bakore for the petitioner.

Ms.Rupali Adhate for the Municipal Corporation.

Mr.Vishal Kanade with Mr.Shabbir Jariwala and
Mr.Zulfiqar Jariwala I/b. M/s.Thakore Jariwala
Associates for respondent nos. 3 to 5.

**CORAM :- S. C. DHARMADHIKARI &
G. S. PATEL, JJ.**

DATED :- JULY 5, 2019

P.C. :-

1. After we expressed our disinclination to grant any relief in writ jurisdiction and were to dismiss the writ petition, leave is sought to withdraw it with liberty to adopt appropriate proceedings, including filing a suit in a competent civil court.

2. Leave granted. The writ petition is dismissed as withdrawn with liberty as prayed and by clarifying that though this court, on earlier occasions, has passed some orders, called for affidavit and certain documents, including from public body like the Municipal

Corporation, no opinion is expressed on the rival contentions and they are kept open for being agitated in the proposed appropriate proceedings.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)