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

WRIT PETITION (LODGING) NO.1277 OF 2019

|                |                |
|----------------|----------------|
| Nenshi A. Gala | ...Petitioner  |
| V/s.           |                |
| MHADA & Ors.   | ...Respondents |

Mr.Mayur Khandeparkar with Mr.Anand Pai, Mr.Arun Panicker and Mr.Sahil Saiyed for the Petitioner.

Mr.P.G. Lad with Ms.Aparna Murlidharan for the Respondents.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 6TH JUNE, 2019.**

**P.C. :-**

1. Mr.Lad, learned counsel appearing for the respondents on instructions states that the order dated 5<sup>th</sup> October, 2017 annexed at Exhibit "N" to the petition, order dated 1<sup>st</sup> June, 2018, annexed at Exhibit "P" to the petition and the order dated 4<sup>th</sup> April, 2019 annexed at Exhibit "R" to the petition are withdrawn. He submits that the respondents have no objection if the application filed by the petitioner dated 4<sup>th</sup> July, 2015 annexed at Exhibit "K" to the petition is restored to file and is decided afresh. He has also no objection if the petitioner files additional documents, if any, proposed to be relied upon by the petitioner before the authority within one week from today. The statement is accepted.

2. Mr.Khandeparkar, learned counsel for the petitioner states that his client would file additional documents along with written submissions, if necessary within one week from today before the authority. The statement is accepted.

3. If any additional pleadings are filed within one week from today, the same shall be considered by the authority without being influenced by the observations made and the conclusion drawn in the aforesaid three orders and in accordance with law after hearing the petitioner in person or through his advocate. A fresh order shall be passed within three months from the date of commencement of the hearing proposed to be held. The petitioner shall not take any unnecessary adjournment before the authority at the time of hearing.

4. In view of the withdrawal of the impugned orders passed by the respondents nothing survives in the petition. The petition is accordingly disposed of in aforesaid terms. There shall be no order as to costs.

5. All the rights and contentions of both the parties are kept open.

6. All the parties as well as the Authority to act on the authenticated copy of this order.

**(R.D. DHANUKA, J.)**