

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

WRIT PETITION NO. 1795 OF 2017

Ganesh Constrution (Engineers & Builders) .. Petitioner

v/s.

Slum Rehabilitation Authority & Ors. .. Respondents

Mr. A.G. Damle, Senior Counsel a/w Mr. A.S. Patil for the petitioner

Mr. Milind More for respondent nos.1 and 2

Ms. Vrushali Maindad I/b Mr. A.A. Desai for respondent no.3

Mr. A.L. Patki, Addl. G.P. for respondent no.4

Mr. K.D. Lokre for respondent no.5

**CORAM : A.S. OKA &
M.S. SANKLECHA, J.J.**

DATED : 15th MARCH, 2019

P.C.

1. One of the submissions canvassed by the learned Counsel appearing for the petitioner is that several factual grounds which are specifically taken in the application / appeal filed before the High Power Committee were canvassed before the High Power Committee but the same are not reflected in the impugned judgment and order. He, therefore, seeks permission to withdraw this petition with liberty to file appropriate application before the High Power Committee on the ground stated above.

2. Accordingly, we dispose of the petition as withdrawn with liberty as prayed for.

3. We make it clear that we have made no adjudication on the question whether the grounds pleaded in the Memorandum of Appeal / Application were really argued before the High Power Committee and all questions are kept open.

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)