

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

WRIT PETITION NO. 2014 OF 2018

Puran Parviz Niroo & Ors.

.. Petitioners

v/s.

The Maharashtra Housing & Area
Development Authority & Ors.

.. Respondents

Mr. P.K. Dhakephalkar, Senior Counsel a/w Mr. Anukul B. Jeth and Ms.
Pooja V. Thorat I/b M.V. Thorat for the petitioners
Mr. Mayur Khandeparkar a/w Mr. Vatsal Merchant and Mr. Sharad
Wakchaure I/b Kishore Thakordas & Co. for the respondent no.3
Mr. Kamlesh Ghumre for the respondent nos. 1 and 2

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

DATED : 2nd APRIL, 2019

P.C.

1. The learned Counsel appearing for the first and second respondents, on telephonic instructions from Shri. Umesh Mane, Deputy Engineer (FS) and Ms. Meenal Jagtap, Executive Engineer (FS), states that the first and second respondents will withdraw notices / orders dated 30th November, 2017 and 6th December 2017 (Exhibits - "P" and "R" respectively) and will initiate proceedings under Section 95A of the Maharashtra Housing and Area Development Act, 1976 only after leave is granted by the concerned Court, which has appointed the Court

Receiver.

2. We accept the statement made on instructions. Therefore, challenge to the impugned notices / orders at Exhibits “P” and “R” does not survive.

3. In view of acceptance of the aforesaid statement made by the first and second respondents, the learned Senior Counsel appearing for the petitioners seeks permission to withdraw the petition on the ground that other prayers made in the petition are premature.

4. Accordingly, the petition is disposed of as withdrawn.

(M.S. SANKLECHA, J.)

(A. S. OKA, J.)