

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****WRIT PETITION (L) NO. 2538 OF 2019****Rekha Agarwal & Anr.****..... Petitioners****VERSUS****Brihanmumbai Municipal Corporation****..... Respondent**

Mr.Atul S.Singh for the Petitioners.

Mr.R.Y.Sirsikar, A.G.P. for the State, M.C.G.M.

CORAM : R.D. DHANUKA, J.**DATE : 30th AUGUST, 2019****P.C.**

The papers are allowed to be produced at 03.00 p.m.

2. Learned counsel appearing for the petitioners on instruction seeks liberty to withdraw this writ petition and seeks liberty to challenge the order dated 15th July, 2019 passed by the Executive Engineer, Building Proposal, Western Suburbs rejecting the application filed by the petitioners for regularization of the impugned structure. Statement is accepted.

3. Writ petition is dismissed as withdrawn with liberty to file an appeal against the said order dated 15th July, 2019.

4. The respondent is directed to serve a copy of the order dated 15th July, 2019 to the petitioners within one week from today.

5. The respondents shall not take any coercive steps against the

petitioners for implementing the order dated 13th August, 2019 which is impugned by the petitioners in this writ petition for a period of four weeks from the date of service of the order dated 15th July, 2019.

6. If any such application for regularization is filed by the petitioners within four weeks from the date of service of the order dated 15th July, 2019 passed by the Executive Engineer, Building Proposal, Western Suburbs, the same shall be considered on its own merits. No order as to costs.

[R.D.DHANUKA, J.]