

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

WRIT PETITION NO.1354 OF 2019

Eldorado Co-operative Housing
Society Limited

.... Petitioner

Vs.

Office of the Assistant Commissioner,
G/South Ward & Anr.

.... Respondents

Mr. Abhishek A. Adke for the Petitioner.
Ms Rupali Adhate for the Respondent-MCGM.
Mr. Prakash Sonawane, Junior Engineer (B&F),
G/South Ward, Mumbai, present in Court.

CORAM: S.C. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ.

DATE : JULY 31, 2019

P.C:

Mentioned. Not on board.

2. After the attention of the Advocate for the petitioner was invited to Section 53 of the Maharashtra Regional and Town Planning Act, 1966 (“**MRTP Act**”), particularly sub-section (3) thereof, on instructions, the learned Advocate seeks leave to

withdraw the writ petition with liberty to make an application invoking sub-section (3) of Section 53 of the MRTP Act. The writ petition is disposed of as withdrawn with the liberty as prayed. No costs.

3. Ad-interim/interim order, if any, stands vacated forthwith.

4. Needless to clarify that if an application under sub-section (3) of Section 53 is made, pending that application, the statute itself says that the notice under sub-section (1) will not be implemented. In these circumstances, no protection from this Court is required.

5. All contentions are kept open.

(SANDEEP K. SHINDE, J.)

(S.C. DHARMADHIKARI, J.)