

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5250/2017

Gurudatta Cooperative Housing Society Ltd., Nagpur
 ..Vs..
 Shankar Ramkrushna Sathawane and others

WRIT PETITION NO.5566/2017

Gurudatta Cooperative Housing Society Ltd., Nagpur
 ..Vs..
 Gangaram S/o Janglu Sontakke and others

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Shri M.K. Kulkarni, Advocate for the petitioner.
 Shri V.P. Dable, Advocate for respondent No.1.
 Shri N.A. Gaikwad, Advocate for respondent No.2.
 Shri D.M. Gabhane, Advocate for respondent No.3.
 Shri N.R. Patil, A.G.P. for State.

CORAM : Z.A. HAQ, J.

DATED : 12.6.2019.

The petitioner has challenged the orders passed by the learned District Judge on reference under Section 30 of the Land Acquisition Act, 1894. Learned A.G.P. and learned Advocates for the respondent No.3 have raised objection to the maintainability of the petitions on the ground that the impugned orders are appealable under Section 96 of the Code of Civil Procedure as held by this Court in the judgment given in the case of *Abhay Laddulal Shah V/s. Udaykumar Radhakisan Dubey and others* reported in **2015 (3) Mh.L.J.660**. In view of the objection raised on behalf of the respondents, learned Advocate for the petitioner

seeks permission to withdraw the writ petitions with liberty to file appeals. Writ petitions are **disposed** as withdrawn with liberty as prayed for. No costs.

JUDGE

Tambaskar.