

WRIT PETITION NO. 11710 OF 2019

VS.

Mr. Rohit Sakhadeo for respondent No.3.

4. The Petitioners are bringing on record a subsequent development which was not before the trial Court when the order was passed. In this view of the matter, learned counsel for the petitioners would submit that he would make a fresh application before the trial Court seeking appropriate reliefs. For enabling him to do so he seeks leave to withdraw the Writ Petition. In view of the subsequent development as the petitioners want to file an application before the trial Court, the Petition is allowed to be withdrawn. The trial Court to decide the same on its own merits without being influenced by the observations made in the impugned order dated 3rd October, 2019. It is made clear that the present Writ Petition is not decided on merits and the trial Court is free to decide the said application so made by the petitioners on its own merits without being influenced by the observations made by me in this order.

5. The status quo earlier granted by this Court to continue for a period of two weeks from today.

6. It is further made clear that the petitioners will be occupying the suit premises at their own risk and shall not hold anybody responsible for any damage.

7. Considering the circumstances on record and the condition of the structure, if an application is made by the petitioners within a period of two weeks from today before the trial Court, the trial Court is requested to consider passing appropriate orders on the same expeditiously.

8. Writ Petition is disposed of as withdrawn.

9. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(M.S.KARNIK, J.)

Diksha
Rane

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signed by
Diksha
Rane
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