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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 8975 OF 2018

Madhav Babubhai Rathod & Ors. ... Petitioners
Vs.
Shardul Co-Op. Housing Society Ltd. & Ors.... Respondents

Ms. Pinky M. Bhansali, for the Petitioner in WP. 8975/2018.
Mr. Vineet Naik, Sr. Counsel a/w Piyush Shah & Jay Vora, for
Respondent No. 1.
Mrs. M. S. Bane, AGP for the Respondent State.

CORAM : C. V. BHADANG, J.

DATE : MARCH 5, 2020

PC :

1. The learned counsel for the Petitioners, on instructions, seeks leave to withdraw the petition, as the Petitioners intend to take recourse to the remedy of filing civil suit, challenging the impugned order, in view of the law laid down by this Court in a series of decisions, viz. (i) *Mazda Construction Company Vs. Sultanbad Darshan CHS Ltd.*¹; (ii) *M/s. Angelina Randolph Pareria Vs. Suyog Estate Premises Co-operative Society Ltd.*²; and (iii) *M/s. Shree Chintamani Builders Vs. State of Maharashtra & Ors.*³.

2. In that view of the matter, the petition is disposed of as

- 1 Writ Petition No. 3912/2012, dated 31.8.2012
- 2 Writ Petition No. 4373/2017, dated 11.4.2018
- 3 2016 SCC Online Bom 9343

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withdrawn, with liberty as prayed. All rival contentions of parties, on merits, are left open. No order as to costs.

Sd/-
C. V. BHADANG, J.