

DDR

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3161 OF 2021

MAHINDRA PARK CO-OPERATIVE HOUSING
SOCIETY LIMITED

..PETITIONER

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Mr. Ashok M. Saraogi for the petitioner.

Mr. C.D. Mali, AGP for the respondent – State.

CORAM : M.S.KARNIK, J.

**DATE : JULY 22, 2021
(VIA V.C.)**

P.C.:-

Heard learned counsel for the petitioner.

2. Against the order impugned in this Petition the appropriate Forum to challenge the impugned order is to file a appeal before the State Consumer Forum under the provisions of the Consumer Protection Act, 1986.

3. Shri Saraogi prays for leave to withdraw the Petition with liberty to file an appeal before the State Consumer Forum. Shri Saraogi apprehends that the complainant may proceed with the execution proceedings. There is nothing on record to indicate

that such proceedings have been filed or steps in that direction have been taken. It is open for the petitioner to file appeal and the application for stay expeditiously.

4. Liberty to apply in case of difficulty.

5. Keeping all contentions open, the Petition is allowed to be withdrawn with liberty as aforesaid. The Writ Petition is disposed of.

(M.S. KARNIK, J.)

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