

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

WRIT PETITION NO. 8353 OF 2022

Kashidham Co-op. Housing Society. ... Petitioner.

V/s.

State of Maharashtra & ors. ... Respondents.

Mr. Siddhesh S. Borkar, advocate for Petitioner.

Mr. A.P. Vanarase, AGP for respondent No. 1.

Mr. Vishal Kanade a/w. Mr. Wasim Shaikh i/b. Pravin Mehta & Mithi & Co., advocate for respondent Nos. 2 and 3.

CORAM : NITIN W. SAMBRE, J.

DATE : AUGUST 12, 2022.

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TALWALKAR
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P.C.

1 On instructions, prayer is made for withdrawal of the Petition. Writ Petition is disposed off as withdrawn with liberty to approach the concerned authority for filing fresh proceedings for grant of deemed conveyance under the provisions of the Maharashtra Ownership Flat (Regulation of the Promotion, Construction, Sale, Management and Transfer) Act, 1963 for a similar area i.e. the one which was the subject matter of this petition. If any such proceedings are taken up, the same be decided without being influenced by the findings recorded in earlier order as the principle of res judicata will not apply.

(NITIN W. SAMBRE, J)