

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.17723 OF 2022
IN
FIRST APPEAL NO.30 OF 2022

Santosh Maruti Patil] ... Applicant

Vs.

Indirabai Narayan Biwalkar (Deceased)]
through LRs.] ... Respondents

ALONG WITH
INTERIM APPLICATION NO.18335 OF 2022
ALONG WITH
INTERIM APPLICATION NO.17779 OF 2022

...

Mr. Amar Bhatt i/b Mr. Yogesh D. Keny for applicant.

Ms. Tanaya Goswami, A.G.P. for respondent-State.

Mr. Mahendra Ghelani with Mr. Nishit Patel and Mr. Satyajeeet
Rajeshirke i/b Law Charter for respondent Nos.2 and 3.

...

**CORAM : K.R. SHRIRAM &
KAMAL KHATA, JJ.**

DATED : 06TH DECEMBER, 2022.

P.C.:-

1. Mr. Bhatt states that there are two interim applications of which he is concerned, i.e., Interim Application No.17723 of 2022 and Interim Application No.17779 of 2022. Mr. Bhatt

states that the relief prayed for in Interim Application No.17779 of 2022 is the same relief as claimed in prayer clause (b) in Interim Application No.17723 of 2022. Therefore, he will not be pressing for Interim Application No.17779 of 2022 and will be pressing Interim Application No.17723 of 2022 only. Statement accepted.

2. Mr. Ghelani, however, states that the affidavit in reply, etc. filed in Interim Application No.17779 of 2022 also covers the reliefs sought in Interim Application No.17723 of 2022. The court should, therefore, consider those reply affidavits while hearing Interim Application No.17723 of 2022.

3. Interim Application No.17779 of 2022 is dismissed as not pressed.

4. After the Interim Application No.17723 of 2022 was heard for some time, Mr. Bhatt sought leave of this court to withdraw the application with liberty to take appropriate proceedings in accordance with law against the decisions taken by the SLAO.

5. Application dismissed as withdrawn with the liberty as prayed for. The concerned Forum/Authority before whom, any such application/proceedings would be filed, will decide the applicant's case in accordance with law independently on its own merits.

6. We clarify that we have not made any observations on the merits of the matter.

[KAMAL KHATA, J.]

[K.R. SHRIRAM, J.]