

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2207 OF 2020

Shyamlal Hariram ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

WITH
INTERIM APPLICATION (ST) NO. 5664 OF 2022
IN
WRIT PETITION NO. 2207 OF 2020

Yashwant Narayan Surve
Deceased Through LRs. ... **Applicant.**

In the Matter Between :

Shyamlal Hariram ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. K. T. Kukreja a/w. Ms. Chandni Sabnani i/b. Mr. Arvind Manghirmalani, Advocate for the Petitioner.

Mr. S. L. Babar, AGP for the Respondents/State.

Mr. S. P. Kanuja, Advocate for the Respondent No.3.

Mr. Ulhas T. Naik, Advocate for the Respondent No.5 in WP/2207/2020 and for Applicant in IAST/5664/2020.

**CORAM: S.V. GANGAPURWALA &
VINAY JOSHI, JJ.**

DATED : APRIL 12, 2022

P.C.

1. The learned Counsel for the petitioner seeks leave to withdraw the writ petition with liberty to file fresh one on the ground that there are large scale of documents which

were not produced on record and averments in the memorandum of petition also are not sufficient to clarify about the documents since the year 1971.

2. The learned Advocate for the respondents submits that in fact the order impugned in the writ petition is passed under Section 24(2) of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (hereinafter referred to as “**the Act**”). The petitioner has remedy to file a revision under Section 24(4) of the Act.

3. As the prayer is made for withdrawal of writ petition, we dispose of the writ petition as withdrawn. No costs.

4. The petitioner may take a fresh proceedings as permissible under the Statute and the law on the same cause of action. The objection of the respondents of the availability of the alternate remedy is kept open.

5. In view of disposal of writ petition, Interim Application (St) No. 5664 of 2022 also stands disposed of.

(VINAY JOSHI, J.)

(S.V. GANGAPURWALA, J.)

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signed by
RAJU
DATTATRAYA
GAIKWAD
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