

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2821 OF 2019

Kakad Co-operative Housing Society Ltd.... **Petitioner**

Versus

State of Maharashtra & Ors. ... **Respondents**

Mr. Rajesh Gehani a/w. Mr. Mahendra Agvekar, Advocate
for the Petitioner.

Mr. Abhay L. Patki, AGP for the Respondents/State.

Mr. Manoj Agiwal, Advocate for the Respondent Nos.5 and
6.

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JULY 14, 2022

P.C.

1. We have heard the learned Counsel for the petitioner learned AGP for the respondent/State and learned Counsel for the respondent Nos.5 and 6. The learned Counsel for the respondent Nos.5 and 6 submits that the petitioner cannot assail the instrument in the present writ petition. There are litigations pending between the parties before the Civil Court and other Forum.

2. In light of that, the learned Counsel for the petitioner, on instructions, seeks leave to withdraw the writ petition with liberty to avail the alternate remedy.

3. The writ petition, as such, is disposed of as withdrawn

with liberty to the petitioner to avail the alternate remedy available and permissible under law. In that event, all contentions of the parties are kept open.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)

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signed by
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DATTATRAYA
GAIKWAD
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