

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3563 OF 2010
WITH
CIVIL APPLICATION NO.7261 OF 2008 IN WP/3563/2010

Shri Gurudevdatto Co-operative Housing
Society Ltd. Savedi, Ahmednagar
Through its Chairman
Trimbak S/o Dattatray Jathar

.... Petitioner

Versus

The Special Land Acquisition Officer No.3,
Ahmednagar and others

.... Respondents

.....

Mr. S.S. Jadhavar, Advocate for Petitioner

Mr. P.G. Borade, AGP for Respondent Nos.1, 2 and 4

Ms. Renuka Ghule Palve, Advocate for Respondent No.3

Mr. S.Y. Mahajan, Advocate h/f Mr. P.B. Salunke, Advocate for
Respondent Nos.5 to 8

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 03rd OCTOBER, 2023

ORDER :

1. Learned advocate for petitioner states that added respondent Nos.9-a and 9-b, legal heirs of respondent No.9 are not the contesting parties as the impugned order is passed in favour of respondent Nos.5 to 8. He, therefore, seeks to delete respondent Nos.9, 9-a and 9-b.

2. Permission granted.

3. Deletion be carried out at the risk of petitioner.

4. After arguing for some time, when this Court was not inclined to interfere in the order impugned, learned advocate for petitioner, on instructions, seeks permission to withdraw the writ petition.

5. Permission granted.

6. Writ petition is disposed of as withdrawn.

7. Interim relief stands vacated.

8. Considering the fact that execution proceeding is of the year 2007, the Executing Court shall consider the objection filed by respondents under Order XXI Rule 97 of Code of Civil Procedure, within a period of six months from the date of receipt of writ of this order.

9. Parties shall Co-operate.

10. Accordingly, civil application stands disposed of.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane