

Dusane

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

WRIT PETITION NO.10664 OF 2023

Shri. Prakash Bhagwan Sawant ...Petitioners
since deceased thru' his legal heirs
Suhasani Prakash Sawant & Ors.

V/s.

Shri. Khemaji Vishnu Rane & Anr. ...Respondents

Mr. Hemant Ghadigaonkar for Petitioners.

CORAM: MADHAV J. JAMDAR, J.

DATE: 28th August 2023

P.C.:

1. Mr. Ghadigaonkar, learned Counsel appearing for the Petitioners states that the impugned order in the present petition is communication dated 3rd January 2020 issued by the learned Member (Administrative), Maharashtra Revenue Tribunal, Mumbai, by which it has been communicated that Revision Nos. 281 of 2018 and 280 of 2018 are allowed by setting aside orders passed by the Tenancy Authorities. However, he states that thereafter there is subsequent order dated 7th April 2022 which is not in accordance with the communication dated 3rd January 2020. Therefore, he seeks withdrawal of the Writ Petition with liberty to file appropriate proceedings.

2. Accordingly, the Writ Petition is allowed to be withdrawn with liberty to file appropriate proceedings with respect to order dated 7th April 2022 passed by the learned Member, (Administrative), Maharashtra Revenue Tribunal, Mumbai in Revision Applications bearing Nos. TNC/REV/SND/280/18 as well as TNC/REV/SND/ 281/18.

3. It is made clear that this Court has not expressed any opinion on the merits of the matter and all the contentions of both the parties are expressly kept open.

(MADHAV J. JAMDAR, J.)