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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT
ANANDRAO IDHOL
Date: 2023.03.20
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WRIT PETITION NO.14543 OF 2022

Babu K. Palange, since deceased
through L.Rs. -Mukund R. Palange & Ors. ...Petitioners
V/s.
Union of India & Ors. ...Respondents

WITH
INTERIM APPLICATION NO.1264 OF 2023

Babu K. Palange, since deceased
through L.Rs. -Mukund R. Palange & Ors. ...Applicants

IN THE MATTER BETWEEN :

Babu K. Palange, since deceased
through L.Rs. -Mukund R. Palange & Ors. ...Petitioners
V/s.
Union of India & Ors. ...Respondents

Mr.Tanaji Mhatugade for the Applicants / Petitioners.

Mr.A.B. Tajane i/b Mr.Sandesh Patil for the Respondent Nos.1 and 2.

Mr.A.P. Kulkarni with Aditya Mahadik, Ms.Sweta Shah and
Mr.Krishna Jaybhoy for the Respondent Nos.6, 7 and 10.

Mr.R.S. Pawar, AGP for the State – Respondent.

CORAM : R.D. DHANUKA &
GAURI GODSE, JJ.
DATE : 17TH MARCH, 2023.

P.C. :-

1. This matter was on board on 16 March, 2023 when the learned counsel for the Petitioners sought time to take instructions as to whether to press the Interim Application for seeking amendments or to withdraw the Writ Petition and file a fresh Writ Petition or not. Learned counsel for the Petitioners on instructions states that he has instructions to withdraw this Writ Petition with liberty to file a fresh Writ Petition instead of pressing Interim Application No.1264 of 2023 for seeking substantive amendment.

2. The Writ Petition is dismissed as withdrawn with liberty as prayed. It is made clear that this Court has not expressed any view on the merits of the Writ Petition and the Interim Application. All contentions of both the parties are kept open.

3. The Respondents are at liberty to point out before the Division Bench if any fresh Petition is filed that by an order dated 13th December, 2022, this Court has refused to grant interim relief. The relevance of the said order would be considered by the Division Bench as and when the fresh Petition is heard.

4. In view of withdrawal of the Writ Petition, Interim Application No.1264 of 2023 does not survive and is accordingly disposed off.

(GAURI GODSE, J.)

(R.D. DHANUKA, J.)