

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

WRIT PETITION NO. 9632 OF 2017

Dhondiram Ganpati Varuse and Anr. ... Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. P.D. Dalvi for the Petitioner.

Mr. A.P. Vanarase, AGP for the Respondent Nos. 1 to 4-State.

**CORAM: R. D. DHANUKA AND
M.M.SATHAYE JJ.**

DATE : 17th JANUARY 2023

PC. :-

1. Mr. Dalvi, learned counsel for the Petitioner, on instructions, seeks leave to withdraw the Petition with liberty to file fresh Petition by invoking provisions of Section 13(2) of the Maharashtra Project Affected Persons Rehabilitation Act, 1989 and to pray that land of the Petitioner having situated outside benefited zone could not have been acquired at all by Respondents.

2. Writ Petition is dismissed as withdrawn with liberty as prayed.

3. It is made clear that this Court has not expressed any view on the maintainability of such Petition. If any such petition is filed, the same would be decided on its own merits.

[M.M.SATHAYE,J.]

[R. D. DHANUKA, J.]