

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

KANCHAN
VINOD
MAYEKAR

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CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9093 OF 2021

Durgaji Rama Shinde & Ors.

..... Petitioners

VERSUS

The State of Maharashtra & Ors.

..... Respondents

**ALONGWITH
WRIT PETITION NO. 9096 OF 2021**

Ramdas Manohar Gosavi @ Giri Gosavi

..... Petitioners

VERSUS

State of Maharashtra & Ors.

..... Respondents

**ALONGWITH
WRIT PETITION NO. 9095 OF 2021**

Bapu Pandurang @ Pandu Shinde & Ors.

..... Petitioners

VERSUS

State of Maharashtra & Ors.

..... Respondents

Mr.Santosh S.Pawar for the Petitioners.

Mr.A.P.Vanarase, A.G.P. for the State.

Mr.Ashish Gabhale, i/b. Jay & CO. for the Respondent no.4.

Mr.Mufeez Ansari, i/b. Mr.Vikas B.Shivarkar for the Respondent no.5.

Mr.Chaitanya Nikte, a/w. Mr.V.H.Narvekar for the Respondent no.6 in
WP/9096/2021.

**CORAM: R. D. DHANUKA AND
M.M. SATHAYE, JJ.
DATE : 24TH JANUARY, 2023**

P.C:-

Learned counsel for the Petitioners after arguing the matter for sometime, seeks liberty to withdraw these petitions with liberty to pursue the civil suit filed by the Respondent no.5 in these petitions before the Civil Court by filing written statement and if necessary, by filing a separate suit. Statement is accepted. Writ petitions are dismissed as withdrawn with liberty as prayed. No order as to costs.

2. It is made clear that this Court has not expressed any views on the merits of these writ petitions. All permissible contentions in law can be raised by the Petitioners in the pending suit or in the fresh suit, if advised.

3. The competent authority has already referred the dispute to the Civil Court. The Civil Court to decide the said suit on its own merits expeditiously.

4. If any application for withdrawal of the amount deposited by the

competent authority is made by any of the parties, the Civil Court to decide such application for withdrawal on its own merits after hearing all the parties concerned.

5. Writ petitions are dismissed as withdrawn with aforesaid directions. No order as to costs. The parties as well as the Civil Court to act on the authenticated copy of this order.

[M. M. SATHAYE, J.]

[R. D. DHANUKA, J.]