

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4822 OF 2021

Smt.Haji Mumtaj Kachrual Bagwan & Ors. Petitioners

VERSUS

State of Maharashtra & Ors. Respondents

Mr.Sujit Bugade for the Petitioners.

Mr.A.I.Patel, Additional Government Pleader, a/w. Ms.K.N.Solunke,
A.G.P. for the State – Respondent nos. 1 to 3, 5 to 7.

Mr.Jagdish Ardwad (Reddy) for the Respondent no.4.

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

DATE : 18TH JANUARY, 2023

P.C:-

Matter is on board to enable the learned counsel for the Respondent nos. 4 to make a statement whether the writ property is ultimately required by the Respondent no.4 or not and if not required, whether it can be released from reservation.

2. Mr. Ardwad (Reddy), learned counsel for the Respondent no.4 states that his client would require the land for the public purpose, primary school, playground and proposed D.P.Road and thus not agreeable to release from the reservation.

3. Learned counsel for the Petitioners on instructions states that the Petitioners would issue a fresh notice under Section 127 of the Maharashtra Regional Town Planning Act, 1966 for de-reservation of the writ property. He seeks liberty to withdraw this writ petition with liberty to issue a fresh notice under Section 127 of the MRTP Act.

4. Writ petition is disposed off as withdrawn with liberty to issue fresh notice under Section 127 of the MRTP Act. No order as to costs.

[M. M. SATHAYE, J.]

[R. D. DHANUKA, J.]