

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7355 OF 2023

Ravikant Pandurang Jadhav

.. Petitioner

Vs.

Municipal Commissioner,

Vasai Virar Municipal Corporation and Ors.

.. Respondents

Mr. Sayed Ejaz Abbas Naqvi, with Ms. Neha S. Dube, for the Petitioner.

Mr. Y.D. Patil, AGP for Respondent Nos.3 to 5–State.

Ms. A.R.S. Baxi for Respondent No.5A.

Mr. R.C. Mishra, with Mr. A.V. Pande and Mr. K. Ganeshan, for Respondent Nos.6, 8 & 9, 12 to 16, 30, 32, 33 & 34, 36, 44, 46 & 47, 48 and 51.

CORAM : SUNIL B. SHUKRE & RAJESH S. PATIL, JJ

DATE : 7TH JULY, 2023.

P.C. :

1. We have heard this matter for some time. We find that this petition, in the form it is filed, does not show existence of any legal right in favour of all the petitioners as owners of the subject property, even though learned counsel for the petitioners state that petitioners' mother was one of the co-owners of the subject property and after her death, the property has devolved upon the petitioners. However, there are no such averments made nor any supportive documents filed along with the petition.

2. At this stage, learned counsel for the petitioners seeks leave of the court to withdraw the petition with liberty to file a properly drafted petition, showing the existence of legal right in favour of the petitioners. Leave with liberty, as prayed for, is granted. Petition is disposed of accordingly.

[RAJESH S. PATIL, J.]

[SUNIL B. SHUKRE, J.]