

Talwalkar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION NO. 2221 OF 2023**

Chaitanya Towers Co-operative Housing Society      ...Petitioners  
Ltd & Anr  
*Versus*  
Municipal Corporation of Greater Mumbai  
(MCGM) & Ors      ...Respondents

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**Mr Mayur Khandeparkar**, *with Vikramjit Garewal, Gaurav  
Srivastav, Mukul Taly, Sehry Taly, Yash Kataria & Nikita  
Jadhav i/b S Mahomedbhai & Co, for the Petitioners.*  
**Mr Kunal Waghmare**, *for the Respondent-MCGM.*  
**Mr Girish Godbole**, **Senior Counsel**, *with Vivek Shiralkar, Yashoda  
Desai, Vijay Poojari i/b Shiralkar & Co, for the Respondent No.5.*  
**Ms Diksha Shetty**, *i/b AAK Legal, for the Respondent No. 8.*  
**Mr Advait Sethna**, *with Ashutosh Misra, for Respondent No.9-UOI.*

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**CORAM    G.S. Patel &  
                 Kamal Khata, JJ.**  
**DATED:    4th October 2023**

**PC:-**

1.     The matter was argued yesterday. Mr Khandeparkar sought time to take instructions. The matter is therefore listed today.
  
2.     Mr Khandeparkar states on instructions that so far as the question of environmental clearance is concerned, the Petitioners

will move the National Green Tribunal for appropriate reliefs. As regards all issues pertaining to Municipal permissions and any other claims including those arising under the Maharashtra Ownership Flats Act, 1963, the Petitioners will either file a fresh civil proceeding or, if so advised, will take appropriate steps in the civil suit that has already been filed.

3. Subject to these liberties, Mr Khandeparkar seeks leave to withdraw this Petition.

4. The Petition is dismissed as withdrawn with liberties as prayed. All contentions are kept open.

**(Kamal Khata, J)**

**(G. S. Patel, J)**