

Wadhwa

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO. 297 OF 2023**

Chunilal Nagar Co-Operative Housing Society  
Ltd & Anr

...Petitioners

*Versus*

The State of Maharashtra & Ors

...Respondents

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**Mr Aman Kacharia**, *with Manish Mirpuri, Ms Heena Khan, i/b  
Premier Legal Practices, for the Petitioners.*

**Mrs Jyoti Chavan**, *Addl GP, for the Respondent-State.*

**Ms Reena Salunkhe**, *with Ms Rupali Adhate, for the Respondent-  
MCGM.*

**Mr Aseem Naphade**, *with Ms Shristi Shetty, i/b MV Kini & Co, for  
Respondent No. 6.*

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**CORAM    G.S. Patel &  
                 Kamal Khata, JJ.**

**DATED:    18th October 2023**

**PC:-**

1.    On instructions, learned counsel for the Petitioners seeks leave to withdraw the Petition with liberty to pursue the representations made to the Collector and Chief Secretary and also, if so advised, to adopt appropriate civil proceedings in a Court of competent jurisdiction.

2. In the event that any Civil Suit is filed, the time spent in prosecuting this Petition is to be excluded for the purposes of limitation under Section 14 of the Limitation Act, 1963.

3. Further, as discussed yesterday, should the Petitioners be advised to file a civil suit for the same, or substantially the same for similar reliefs, the present Petition will serve as an adequate notice for the purposes of Section 80 of the Code of Civil Procedure, 1908.

4. Leave granted with liberty as prayed.

5. All interim and ad-interim orders, if any, stand vacated forthwith.

**(Kamal Khata, J)**

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