

Talwalkar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13632 OF 2023

The Manjri Stud Farm Pvt Ltd & Anr ...Petitioners
Versus
Ministry of Civil Aviation & Ors ...Respondent

Mr Sharan Jagtiani, Senior Advocate, with Rohan Cama, Chirag Kamdar, Siddharth Joshi, Ayushi Anandpara, Jasmine Kachalia, Aryan Srivastava, Sahil Singh, Shravan Tambe, i/b, Wadia Ghandy & Co, for the Petitioners.

Mr Devang Vyas, ASG, with DP Singh, Sheelong Shah, Vaibhavi Chaudhary, for Respondents Nos 1 to 3.

**CORAM G.S. Patel &
Kamal Khata, JJ.
DATED: 22nd February 2024**

PC:-

1. Mentioned. Not on board. Taken on board.
2. On instructions, Mr Jagtiani makes the following statements. Respondents Nos 1 and 2 have already intimated to the Petitioners the name of the authority that will consider an application for a No Objection Certificate (“NOC”) for height clearance of the Petitioners’ building that is in the vicinity of Respondent No 3. This

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application will be made under the Ministry of Civil Aviation (Height Restriction for Safeguarding of Aircraft and Operations) Rules, dated 30th September 2015 as amended *inter alia* in 2020. The Petitioners will then apply to that Authority for an NOC for height clearance of the building in question.

3. The Application so made is to be heard and decided at the earliest and, preferably, within 12 weeks from the date of filing of the Application in accordance with law. All contentions on all sides are expressly kept open.

4. On these statements and with these liberties, Mr Jagtiani on instructions, seeks leave to withdraw the Petition. The Petition is dismissed as withdrawn with liberty as prayed.

(Kamal Khata, J)

(G. S. Patel, J)