

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****INTERIM APPLICATION NO. 413 OF 2024****IN****WRIT PETITION NO. 2618 OF 2021**

Hirji Morarji Shah

... Applicant/Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Chirag Mody a/w. Mr. Parag Kabadi & Ms. Falguni Thakkar i/b. DSK
Legal for Applicant/Petitioner.

Mr. Milind More, Addl. Govt. Pleader for Respondent Nos.1 to 3-State.

Mr. Swapnil Bharati for Respondent No.4-MCGM.

**CORAM : A. S. GADKARI AND
ABHAY AHUJA, JJ.**

DATE : 16th April 2024.

P.C. :

1) Mr. More, learned Additional Government Pleader appearing for Respondent Nos.1 to 3 - State, on instructions, submitted that, the Respondent Nos.1 to 3 - State have filed an Appeal along with Application [MARJI (St.) No. 162 of 2024] before the Appellate Bench of Small Causes Court against the Judgment and Decree passed in R.A.E. & R. Suit No. 292/724/2002 and the Appellate Court is seized of the said Appeal.

2) In view thereof, learned counsel for Applicant, on instructions, seeks leave to withdraw Interim Application with liberty to contest the said

Appeal. He also seeks liberty to move the Regular Bench for fixing the Writ Petition for hearing peremptorily and/or to file an appropriate Application in the main Writ Petition before the Regular Court.

Leave and liberty granted.

3) Disposed off as withdrawn with aforesaid liberty.

(ABHAY AHUJA, J.)

(A.S. GADKARI, J.)

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