

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8184 OF 2024**

Fayyaj Abdul Rajjak Shaikh ... Petitioner

vs.

The State of Maharashtra through Collector ... Respondents
Nashik and ors

Mr.Abhang Suryawanshi a/w. Mr. Siddharth Ghodke, Mr.
Ramchandra Wagle i/b. Mr. Narayan Rokade for Petitioner.
Mr. Aditya R. Deolekar, AGP for Respondent No.1-State.

CORAM : GAURI GODSE, J.

DATED : 29th JULY 2025

ORDER:

1. Learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file the execution application for executing the decree passed in Special Civil Suit No. 55 of 2013.
2. Leave granted with liberty as prayed.
3. Writ Petition is disposed of as withdrawn with liberty as recorded above.
4. It is clarified that all rival contentions of the parties on merits are kept open.
5. Learned AGP submits that the appeal is already preferred to

challenge the trial court's decree, which is partially stayed.

6. Hence, the petitioner is at liberty to file appropriate application for execution as permissible in law including the application for seeking appropriate relief in the pending appeal.

(GAURI GODSE, J.)