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

WRIT PETITION NO. 14750 OF 2024

Sanjay Vasudev Madhan	...Petitioner
Versus	
State of Maharashtra & Ors.	...Respondents

Ms. SnehaAgrawal a/w Shweta Rathod i/b. Elixir Legal Services for Petitioner.
Ms. Pooja Joshi Deshpande, AGP for Respondent No.1 to 3.

**CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.**

DATE: 4thDECEMBER 2025

P.C.

1. The Petition is filed under Article 226 of the Constitution of India praying for the following substantive reliefs:

“a. This Hon'ble Court be pleased to issue a writ of mandamus or a writ in the nature of mandamus any other appropriate writ, order or direction under Article 226 and 227 of the Constitution of India to give possession of the said property to the Petitioner as per letter dated 25th May 1949 addressed by the Deputy Nazir, Thane Court or to restore the said property in favour of the Petitioner being the legal heir of Vasudev Triambak Madan.

b. This Hon'ble Court may be pleased to direct the appropriate authority to pay the compensation fixed as per the Letter dated 23rd April 1943 along with interest accrued therein or as per the current market value of the said property along with the interest accordingly to the Petitioner;

c. This Hon'ble Court be pleased to direct the appropriate authority to compensate the Petitioner being the legal heir of Vasudev Triambak Madan, appropriately for the tenure for which the said property is under the possession of the Government;

d. Ad interim and interim reliefs in terms of prayer clause (b and c) above be granted;

e. Pending the hearing and final disposal of the present Petition, the Hon'ble Court be pleased to direct the Respondents to consider and decide the said Representation (Exhibit -F);”

2. At yesterday’s listing of the Petition, a query was raised by the Court as to how a cause of action that is said to have arisen between 1942 and 1949 could now be pursued, the learned Counsel for the Petitioner had sought time to obtain instructions. She now submits, on instructions, that no material supporting such a cause of action forms part of the record. She fairly states that the Petition may be permitted to be withdrawn with liberty to file afresh Petition.

3. The Petition is accordingly allowed to be withdrawn with liberty as prayed for. All contentions of the parties are expressly kept open

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)