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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1937 OF 2024

Talati Terrace Co-operative
Housing Society Limited & Anr.

.. Petitioners

Versus

State of Maharashtra & Ors.

.. Respondents

Mr Girish Godbole, Senior Advocate a/w Ms Jai Kanade, Ms Slesha Sheth Chedda through VC and Ms Kalyani Deshmukh i/by FZB & Associates for the petitioners.

Mr P H Kanthoria, GP, Ms Jyoti Chavan, Addl. GP, Ms Usha Rahi, AGP for respondent No.1 to 4.

Mr Guruling Samagond h/f Deepak Pandey for respondent No.5 and 6.

**CORAM : M. S. Sonak &
Jitendra Jain, JJ.**

DATE : 16 January 2025

P.C.:-

1. Heard learned counsel for the parties.
2. Mr. Godbole, learned senior advocate, based on instructions from the petitioners, makes the following statement :-

“Since the show cause notice is still at the stage of hearing, the petitioner seeks leave to withdraw the petition with liberty to argue all the contentions on merits raised in the petition before the collector including the grounds challenging the legality of the GR dated 03.08.2019 and it’s applicability to the land of the petitioner, and if the order is adverse to the Petitioner, with further liberty to file appropriate proceedings for raising such challenges as may be available in law.”

3. Accordingly, leave is granted to withdraw the petition with liberty as prayed for.

4. All contentions of all parties are left open since we have not examined the merits of the rival contentions. The petition is disposed of with liberty in the above terms.
5. Since the petition is being withdrawn, we dispense with the requirements of filing an affidavit on behalf of the respondents and rejoinder on behalf of the petitioner.
6. The show cause notice must be disposed of after giving the petitioners hearing and passing a reasoned order.
7. The petitioners should co-operate in the disposal of the show cause notice and not seek any unnecessary adjournments.

(Jitendra Jain, J.)

(M. S. Sonak, J.)