

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3470 OF 2025**

K D Builders thr. Its Partner
Mukesh K Deora

...Petitioner

Versus

Union of India & Ors

...Respondents

Mr Bharat Raichandani, *with Ms Dhanishtha Kawale, i/b, UBR
Legal Advocates, for the Petitioner.*

Ms Jyoti Chavan, Addl GP, *for the Respondents 2 & 3-State.*

**CORAM M.S. Sonak &
Advait M. Sethna, JJ.
DATED: 10 November 2025**

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1. Heard Mr Raichandani for the Petitioner and Ms Chavan for the Respondent-State.
2. Mr Raichandani, on instructions, seeks leave to withdraw this Petition with liberty to file an Appeal against the impugned order dated 29 April 2024 to the Appellate Authority. He states that such Appeal would be filed within four weeks of the date of uploading of this order and some directions may be issued to the Appellate Authority to decide the Appeal on merits.

3. The Petitioner had instituted this Petition on 10 July 2024 i.e., well within the limitation period prescribed for instituting an Appeal.

4. Accordingly, if Appeal is indeed instituted within four weeks of the uploading of this order, we direct the Appellate Authority to decide such Appeal on merits and in accordance with law without adverting to the issue of limitation. Needless to add that the Appellate Authority must grant the parties an opportunity of hearing and dispose of the Appeal by passing the speaking order.

5. All contentions of all parties on merits are expressly kept open.

6. This Petition is disposed of in the above terms. No costs. All concerned to act on an authenticated copy of this order.

(Advait M. Sethna, J)

(M.S. Sonak, J)