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

WRIT PETITION NO. 3125 OF 2025

Babu Michael & Ors.

... Petitioners

Versus

The Municipal Commissioner
Municipal Corporation of
Greater Mumbai & Ors.

... Respondents

Mr. Bhavik Manek a/w Mr. Pranav Chavan i/b Mr. Mahesh Menon & Co., Advocates for the Petitioners.

Ms. Jaymala Ostwal, Addl. GP for Respondent – State.

Ms. Rutuja Bodake i/b Ms. Komal Punjabi, Advocates for Respondent Nos.1 to 7 – BMC.

Mr. H. Rahman a/w Mr. Prathmesh Waghmare, Advocates for Respondent No.20.

Mr. Mayur Khandeparkar a/w Ms. Dhawani Bokaria i/b M/s. Purnanand & Co., Advocates for Respondent No.25.

Mr. Omar K. Shaikh a/w Sahil Salvi, Advocate for Respondent No.26.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 10th NOVEMBER, 2025

P.C. :

1. We have heard the learned Advocate for the Petitioners for some time and we have perused the copy of the affidavit-in-reply dated 14th August 2014, filed by Mr. George Michael along with other Defendants, in S. C. Suit No.1974 of 2014. In paragraph No.16, it has

been averred as under :-

“Thus the purported order dated 11/01/1996 being Ex-L to the Plaint is procured by the Plaintiff by fraud and hence the same is of no consequence. In any case the same in no way relates to the said Pocket Bearing Survey No. 569/2 and hence the same is wholly irrelevant and deserves to be ignored.”

2. The learned Advocate for the Petitioners submits on instructions from Petitioner No.1, who is present in Court, that the Petitioner desires to withdraw this Petition and avail of such remedy as may be permitted under law by approaching the Civil Court.

3. The learned Advocate representing Respondent No. 25 submits that all contentions of all the stakeholders may be kept open. We accede to the said request.

4. In view of the above, **this Petition is disposed off** as withdrawn, on instructions.

5. All contentions of the litigating parties are kept open, in case the Petitioner avails of a statutory remedy.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)