

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 3591 OF 2025

B.I.T. Chawl No.3 Rahiwashi Welfare Association ...Petitioner
Vs.
State of Maharashtra & Ors. ...Respondents

None for the Petitioner.

Later on Mr. Rajesh Khobragade with Mr. Vinit Dhotre for Petitioner present.

Ms. Sujata Khanwilkar, representative of petitioner present.

Mr. Vishal Khanavkar, AGP for State.

Ms. Pushpa Yadav for BMC.

Mr. Abhay Parab with Mr. Yash Thakur, Ms. Anushka Parab and Mr. Pratik Belkar for Respondent No.8.

Mr. Mayur Khandeparkar with Mr. Aditya Miskita, Mr. Sanjeel Kadam, Mr. Soham Salvi and Ms. Netra Jagtap i/b. Kadam & Company for Respondent No.9.

Mr. Karl Tamboly with Ms. Sonam Mhatre, Mr. Darshil Thakkar and Ms. Shruti Rao i/b. Dhaval Vussonji and Associates for Respondent No.10.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 06 NOVEMBER 2025.

P.C.

1. This petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs:-

- a) Rule be issued.
- b) That, the Hon'ble Court be pleased to issue Writ of Mandamus and or any other Writ as per nature and circumstance, and direct Respondent No.2 to 7 to exclude and/or not to include the Petitioner Society, being Building No.3 for the Re-development, as the petitioner's members had not granted consent in the favour of Respondent No.9 and 10.
- c) That, the Hon'ble Court be pleased to issue Writ of Mandamus and/or any other Writ as per nature and circumstance, and direct Respondent No.2 to 7 to cancel, revoke, terminate all the permission granted in the favour of Respondent No.9 and 10, whereby included the Petitioner's Building No.3 against their consent.
- d) That, the Hon'ble Court be pleased to issue Writ of Mandamus and/or any other Writ as per nature and circumstance, and direct Respondent No.2 to 7 to permit the petitioners to submit the self-development proposal for the re-development in respect of the Building No.3.
- e) That, the Hon'ble Court be pleased to issue Writ of Mandamus and/or any other Writ, order, and direction and restrain the Respondent No.2 to 7 to grant permission for re-development of the Building No.3 in the favour of Respondent Nos.9 and 10."

2. Mr. Khobragade, learned Counsel for the petitioner, on instructions of Mr. Vinit V. Dhotre, representative of the petitioner who is present in the Court, and more particularly, in the light of our earlier order on this petition, unconditionally seeks leave to withdraw this petition.

3. Allowed to be withdrawn. Disposed of. No costs.

4. Any pending issues in regard to the registration of the co-operative society are expressly kept open.

5. The Planning Authority would now proceed to take appropriate action in accordance with law in regard to the eviction.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)