

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16718 OF 2024

Bhoja Nanubhai Bharwad ...Petitioner
Versus
Union of India through Government Pleader &
Ors. ...Respondents

Mr Vaibhav Ugle, with Prashant Mahajan & Shubham Dasvant, for
the Petitioner.
Mr Ritvik Joshi, for Respondent No. 5.
Mr Mayuresh Lagu, with Sagar Patil, for Respondent No.7.
Ms Sanya Arora, Senior Legal Consultant (appeared online).
Mr DS Deshmukh, AGP, for the Respondent-State.

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CORAM: SUMAN SHYAM & AARTI SATHE, JJ.

DATED: 30TH MARCH 2026.

PC:-

1. On the face of the objection raised by Mr Joshi, learned counsel for Respondent No. 5, assailing the Writ Petition on the plea of maintainability, i.e., availability of alternate remedy under Section 18 of the Enemy Property Act, 1968, Mr Ugle, learned counsel for the Petitioner, on instructions, seeks leave of this Court to withdraw this Writ Petition with liberty to prefer an Appeal before the Appellate Authority, with a further request that the Appeal be disposed of within a specified time-limit.

2. Since the prayer is not opposed by the learned counsel for the Respondents, the same is allowed.

3. Leave granted to withdraw this Writ Petition for availing the statutory remedy in the form of an Appeal.
4. It is made clear that if the Appeal is preferred by the Petitioner before the Appellate Authority, the same shall be disposed of as expeditiously as possible, preferably within a period of six months from the date of filing of the Appeal.
5. The Writ Petition stand disposed of accordingly.

(AARTI SATHE, J.)

(SUMAN SHYAM, J.)