

MPBalekar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4321 OF 2026

Lou Ann Co-Op. Housing Society Ltd. ... Petitioner
V/s.
State of Maharashtra ... Respondent

Mr. Ashok Giri for the petitioner.

Mr. A.C. Bhadang, AGP, for the State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 7, 2026

P.C.:

1. The learned advocate appearing for the petitioner, upon taking instructions from the petitioner, has made a statement before this Court seeking permission to withdraw the application which was earlier filed before the Competent Authority. It is stated that the petitioner now intends to question the original order itself, on the ground that the area granted therein is less than what the petitioner is legally entitled to receive. Therefore, in order to avoid multiplicity of proceedings and also to enable the petitioner to pursue correct remedy, permission deserves to be granted. Hence, the application is permitted to be withdrawn, with liberty reserved to the petitioner to challenge the original order granting unilateral deemed conveyance, including the issue of enhancement of area, in appropriate proceedings.

2. In view of the above discussion and the request made, the

application does not survive for further consideration. Since the petitioner seeks withdrawal, and liberty has already been granted as stated above, nothing further remains to be decided in the said application. Accordingly, the application stands disposed of as withdrawn.

3. Consequent to the withdrawal of the application, the learned advocate for the petitioner has further sought permission to withdraw the present writ petition also. Therefore, the request for withdrawal of the writ petition deserves to be accepted. Permission as prayed for is accordingly granted.

4. In the result, the writ petition does not survive for adjudication in its present form. The same is therefore disposed of as withdrawn, with liberty as noted hereinabove.

(AMIT BORKAR, J.)