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

**WRIT PETITION NO.3691 OF 2005**

Dosu Ardeshir Bhiwandiwala ...Petitioner  
Versus  
City and Industrial Development Corporation & Ors. ...Respondents

Adv. Saurabh Patil for the Petitioner.

Mr. Manoj Janu Yadav, constituted attorney for the Petitioner present.

Mr. G. S. Hegde, Senior Counsel a/w Ms. P. M. Bhansali, Mr. Ganesh Bajpei  
for Respondent No.1–CIDCO.

Mr. B. V. Samant, Addl. G.P a/w. Ms. M. S. Bane, AGP for Respondent-State

**CORAM: MANISH PITALE &  
SHREERAM V. SHIRSAT, JJ.**

**DATE: 9<sup>th</sup> FEBRUARY 2026**

**P.C.**

1. On 02/02/2026 this Court passed the following order:

1. On 6<sup>th</sup> January 2026 this Court passed the following order:

“1. In this Petition, upon the matter being remitted back by the Hon’ble Supreme Court, the Petitioner has not been appearing before this Court. In that light notices were issued to the Petitioner in the years 2023 as well as 2025.

2. As per order dated 23rd June 2025, the Registry was directed to issue notice to the Petitioner. It appears that notice is still awaited.

3. As a matter of last chance, awaiting service of notice on the Petitioner, list this Petition under the caption “for directions” on 2<sup>nd</sup> February 2026.”

2. Even today when the Petition is called out for hearing there is no appearance on behalf of the Petitioner although the Respondent No.

1-Corporation is represented by Senior Counsel and learned AGP is appearing for the State authority.

3. The office note also shows that the Petitioner has been duly served.

4. It appears that Petitioner is no longer interested in pursuing this Petition.

5. In view of the above, list the Petition under the caption 'for dismissal' on 9<sup>th</sup> February 2026.

2. Today, the Petition is accordingly listed under the caption 'for dismissal'.

3. At this stage Adv. Patil, learned Counsel has appeared on behalf of the Petitioner and submits that he has instructions to argue the matter representing the Petitioner.

4. He further states that there are instructions received by him with regard to the actual nature of acquisition undertaken in the present case and that he may have to consider moving this Court for making supplemental pleadings and/or seeking amendment of the Writ Petition.

5. It is to be noted that this matter was remitted back by the Hon'ble Supreme Court as per Judgment and Order dated 14/11/2008 passed in Civil Appeal No. 6652 of 2008. In paragraph 26 of the judgment of the Hon'ble Supreme Court, liberty was reserved for the parties to supplement their respective pleadings, if so advised and to file additional documents.

6. The learned Counsel for the Petitioner seeks short adjournment to place on record Vakalatnama and to apprise this Court on the next date of hearing as to the instructions received from the Petitioner.
7. List the Petition under the caption 'for directions' on 27/02/2026.
8. In the meanwhile, Vakalatnama on behalf of the Petitioner shall be placed on record.

**(SHREERAM V. SHIRSAT, J.)**

**(MANISH PITALE, J.)**