

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1824 OF 2005

Ashok Vinaykumar Oza Petitioner.

V/s

Competent Authority (ULC) & Ors. Respondents.

Mr. A.C. Singh i/b Mr. D.R. Shah for the petitioner.

Mr D.A. Nalawade, Government Pleader for the State.

Ms. S.K. Savla for BMC.

Mr. V.A. Gangal alongwith Mr. A.J. Gade i/b Mr. A.S. Desai for
respondent No.4.

CORAM: SWATANTER KUMAR, C.J. AND
V. M. KANADE, J.

DATE : 21ST APRIL, 2008.

P.C.:

1. The learned Counsel appearing on behalf of respondent No.4 submits that the order impugned in the present Writ Petition being an order under section 34 of the Act, is not appealable

2. The learned Counsel appearing on behalf of the Petitioner wishes to withdraw this Petition with liberty to file appeal. The learned Counsel appearing on behalf of

respondent No.4 states that no such appeal is maintainable.

3. Be that as it may, we dispose of this Petition as withdrawn with liberty as prayed for and this order is passed without prejudice to the rights of either of the parties.

CHIEF JUSTICE

V.M. KANADE, J.