



2021:BHC-AUG:21640-DB

( 1 )

wp8522.18

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

901 WRIT PETITION NO. 8522 OF 2018

SHAM KERBA GAIKWAD AND OTHERS  
*VERSUS*  
THE STATE OF MAHARASHTRA AND OTHERS

Mr.G.J. Kore, Advocate for the Petitioners.  
Mr.S.K. Tambe, AGP for the Respondent Nos. 1 & 2.  
Mr.Vivekanand Deshmukh, Advocate for Respondent No.3.

CORAM : RAVINDRA V. GHUGE &  
R.M. JOSHI, JJ.  
DATED : 17.04.2024

PC :-

01. The learned Advocate for the Petitioners has circulated a motion for withdrawal of the Writ Petition with liberty to file a fresh Petition.

02. We have perused the order passed by the Hon'ble Supreme Court dated 26.04.2022, in Civil Appeal No.3195 of 2022. The Municipal Council had canvassed before the Hon'ble Supreme Court that it forgot to canvas one point, which was raised before the Hon'ble Supreme Court. Only on this point, the judgment of this Court dated 27.10.2021, has been set aside and the Writ Petition is restored for a fresh hearing.



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03. The learned Advocate for the Petitioners submits that he needs to set out further grounds and also add a prayer.

04. In view of the above, he withdraws the motion for leave to withdraw the Petition and submits that he would move a Civil Application proposing the amendment and addition of the prayer.

**[R.M. JOSHI,J.]**

**[RAVINDRA V. GHUGE,J.]**