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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17711/2022& CM APPLs. 56622/2022, 56623/2022**
DARSHAN GANDHI, EX DIRECTOR LOK HOUSING AND
CONSTRUCTIONS LTD Petitioner

Through: Mr. Vikas Mehta & Mr. Adith Nair,
Advocates. (M:8802354776)

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. T.P. Singh, Sr. Central Govt.
Counsel with Mr. R.M. Tripathi,
Advocate for R-1. (M:9971529687)
Mr. Rajiv Kapur, Mr. Akshit Kapur,
Ms. A. Kumari, Advocate for R-3.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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23.12.2022

1. This hearing has been done through hybrid mode.
2. After some hearing, ld. Counsel for the Petitioner seeks permission to withdraw the present petition.
3. The concern of the Petitioner is that an expression of interest dated 4th January, 2021 had been issued by the Resolution Professional/ Respondent No.2 in respect of land bearing CTS No.1 (part) and CTS No.2 (admeasuring about 125 acres) and CTS No.5 (admeasuring about 55 acres) situated in villate Turbhe and Mandale of Mumbai Suburban District. In respect of the said land a *status quo* order dated 5th May 2015 was passed by the Hon'ble Supreme Court in *SLP(C) 9063-68/2012* titled *Union of India v. Suresh J Thanawalla & Ors.* The said order reads as under:

“List the matters for final disposal on 25th August, 2015.

Status-quo shall be maintained in respect of nature and

*possession of the land in question in both the matters,
until further orders.”*

4. Vide order dated 6th February, 2017 the Hon’ble Supreme Court continued the *status quo* till disposal of the appeal by the Hon’ble High Court. The appeal is still stated to be pending before the High Court of Bombay. The relevant part of the said order is as follows:

*“We have heard learned counsel for the parties.
We are of opinion that the Division Bench of the High Court has misdirected itself on certain issues, which we need not specify so as not to prejudice any of the parties. Therefore, we set aside the order of the High Court and request the Division Bench of the High Court to hear the appeal filed by the respondent afresh.
The special leave petitions are disposed of.
Interim order of status quo dated 05.05.2015 will continue till the disposal of the appeal by the High Court.”*

5. Highlighting the said order of the Hon’ble Supreme Court, the Petitioner is permitted to withdraw the present petition and approach the High Court of Bombay by way of an application or a fresh petition as it may be advised, in accordance with law.

6. It is clarified that this Court has not examined the merits of this matter.

7. With these observations, the present petition, along with all pending applications, is disposed of.

PRATHIBA M. SINGH, J

DECEMBER 23, 2022

dj/kt