

permit it to withdraw from acquisition and get the land developed by the land owner, the petitioner No.2 herein. Learned senior counsel would submit that the High Court in certain judgments regard being had to the facts and circumstances has permitted withdrawal from acquisition. It is contended that once the withdrawal is permitted, the land owner can develop the land for the benefits of the members of the Society as agreed to between the Society and the land owner.

At this juncture, we are obligated to say that the aforesaid submissions have not been canvassed before the High Court and, therefore, the High Court has not dealt with the same. However, keeping in view the submissions put forth and the benefit of the members of the Society being highlighted, we permit the petitioners to file an application for review before the High Court within four weeks hence. If the application for review is filed within the said period, the High Court shall dispose of the same on its own merits keeping in view the submissions recorded herein-above and other submissions to be put forth in the review petition without throwing it on the ground of limitation at the threshold. In case the review petition is not entertained by the High Court and, eventually, dismissed, liberty is granted to the petitioner to approach this Court in the special leave petition assailing the principal order (the impugned order) as well as the order passed in review.

With the aforesaid observation, the special leave petition stands disposed of.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Court Master