

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2561 OF 2015
IN
WRIT PETITION NO.9028 OF 2011

Jagish Manek ...Applicant
in the matter between
M/s. New India Construction Corporation & Ors. ... Petitioners
vs.
Savani Co-operative Housing Society Ltd. & Ors. ...Respondents

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Mr. N.R. Pradhan for the applicant in Civil Application.
Mr. J.F. Reiz a/w. Mr. Parag Shah i/b. Mahesh Shah & Co. for the petitioner.
Mr. G. Thakkar, Sr. Advocate, i/b. M/s Thakore Jariwala & Associates for Respondent no.1
Mrs. M.S. Bane, "B" panel advocate for the State.

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CORAM : A.K. MENON, J.
DATE : 5th OCTOBER, 2015.

P.C.:

1. This application is taken out by the applicant who claims to be a member of the co-operative society. He seeks to be joined as party respondent. The only reason given by him on the present application for seeking to be impleaded is that the society after having secured an order of deemed conveyance under section 11 for part of the land has not furnished any further information to the applicant about the remaining portion of the land. Apparently,

grievance of the applicant is that the respondent no. 1 has engaged in settlement talks with the petitioner pertaining to the remaining portion of the land and as such the applicant is unaware of the issues that have been discussed. He apprehends that the settlement may be against the interests of the society and as such he wishes to intervene to serve the interests of the respondent no.1 society.

2. Mr. Thakkar, learned senior counsel for respondent no.1 submits that no settlement will be arrived at with the petitioner, unless the same subjected to discussions in the general body meeting of the respondent no.1 society and the applicant is always welcome to attend such meetings of the general body.

3. Learned counsel for the applicant states that the applicant will attend such meeting as and when held.

4. In view of the statements made by Mr. Thakkar on behalf of the society, the learned counsel for the applicant applies for withdrawal of intervention application.

5. Application allowed to be withdrawn. There will be no order as to costs.

(A.K. MENON, J.)

CERTIFICATE

“Certified to be true and correct copy of
original signed Judgment/Order.”