

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.787 OF 2015
IN
SECOND APPEAL NO.311 OF 2001**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms. Gauri Godse, Advocate for Applicant.
Ms.Firdaus Moosa i/b Prakash Mahadik ,
Advocate for respondents no.1 to 8 in
application.

CORAM: R.G.KETKAR, J.

DATE : 07/05/2015

PC:

1. Not on Board. At the request of Ms. Gauri Godse, taken up in production Board.

2. Heard Ms. Gauri Godse, learned counsel for the applicant and Ms.Firdaus Moosa, learned counsel for respondents no.1 to 8 in the application at length.

3. By this Application, the applicants have prayed for injunction restraining appellants no. 2 to 4 in Second Appeal No.311 of 2001 from carrying out any construction in the suit property, i.e. Survey No.54, Hissa No.2 and/or from

creating any third party interest in the suit property.

4. Ms. Gauri Godse, after arguing the application for some time, upon taking instructions from Vimal Rajaram Thakur, Power of Attorney Holder of the applicants, seeks permission to withdraw this application with liberty to take out appropriate proceedings seeking reliefs in terms of prayer clause (c).

5. In view thereof, on the Motion made by Ms Gauri Godse, Application is allowed to be withdrawn with liberty as prayed for. It is made clear that I have not examined merits of the case. All contentions of the parties are expressly kept open. Order accordingly.

(R.G.KETKAR, J.)