

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION (L) No. 718 OF 2014
IN
WRIT PETITION No. 2948 OF 2014

Magma Housing Finance ... Applicant

In the matter between :

Rajneesh Agarwal & Associates Pvt. Ltd. & Ors. ... Petitioners

Vs.

Magma Housing Finance ... Respondent

Mr. Rajneesh Agarwal i/b Meghnath Navlani, for the Petitioners.

Mr. V. S. Kapse i/b Amol Desai, for Respondent.

CORAM : V. M. KANADE, &
A. R. JOSHI, JJ.

DATE : MARCH 9, 2015

PC.

1. Learned counsel appearing on behalf of the Petitioners submits that law is quite well settled regarding maintainability of the petition by virtue of the judgment of the Apex Court, in the case of – *S. B. P. and Co. Vs. Patel Engineering Ltd. & Anr. [(2005) 8 SCC 618]*. He, therefore, seeks leave to withdraw the petition with liberty to file an appeal in the Apex Court. Writ Petition No. 2948 of 2014 is allowed to be withdrawn with liberty as prayed, and is accordingly

disposed of. Interim order to continue for a period of 6 weeks.

2. In view of disposal of the petition, Notice of Motion (L) No. 718 of 2014 filed therein does not survive and is accordingly disposed of.

Sd/-
[A. R. JOSHI, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemth