

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

**SUIT (L) NO.834 OF 2015  
WITH  
NOTICE OF MOTION (L) NO.3242 OF 2015  
WITH  
NOTICE OF MOTION (L) NO.2256 OF 2015  
IN  
SUIT (L) NO.834 OF 2015**

M/s. Supreme Enterprises and Ors. ... Plaintiffs  
versus  
Shree Hari Niwas Co-op. Housing  
Society Ltd. and Ors. ... Defendants

Mr. Anil Kumar Patil, for Plaintiffs.  
Ms. Jyoti S.Sanap with MR. Girin N. Pandit, for Defendant No.1.  
Mr. S.D.Pandey, for Defendant No.3.

**CORAM: S.J. KATHAWALLA, J.  
DATE: 21<sup>st</sup> DECEMBER, 2015**

**P.C.:**

1. The Report submitted to this Court by M/s. Shetgiri and Associates, Architects and Engineers dated 08-12-2015 in respect of the Suit Premises C-3 and C-4 is already on record. Copies of the same are handed over to the Advocate for the Plaintiffs and for Defendant No.3.
2. The Defendant No.3 shall be at liberty to institute appropriate proceedings against the Plaintiffs on the basis of the said Report, if so advised. However, if any such proceedings are filed the same shall be decided on its own merits.

3. The learned Advocate for the Plaintiffs on instructions, seeks to withdraw the above Suit. The Suit is disposed of as withdrawn. Refund of Court Fees, if any, as per rules. Notice of Motion (L) Nos.3242 of 2015 and 2256 of 2015 also stands disposed of. The Court Receiver shall stand discharged without passing accounts, but on payment of costs, charges and expenses of the Court Receiver by the Plaintiffs.

4. The learned Advocate for the Society on instructions undertakes that all the members of the Society shall vacate their respective premises on or before 31-12-2015. The statement is accepted.

**( S.J.KATHAWALLA, J. )**