

IN THE HIGH COURT OF JUDICATURE AT MUMBAI

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 3 OF 2016

WITH

CIVIL APPLICATION NO.10 OF 2016

IN

CIVIL REVISION APPLICATION NO. 3 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 4 OF 2016

WITH

CIVIL APPLICATION NO. 11 OF 2016

IN

CIVIL REVISION APPLICATION NO.4 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 5 OF 2016

WITH

CIVIL APPLICATION NO.12 OF 2016

IN

CIVIL REVISION APPLICATION NO.5 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 6 OF 2016

WITH

CIVIL APPLICATION NO. 13 OF 2016

IN

CIVIL REVISION APPLICATION NO.6 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 7 OF 2016

WITH

CIVIL APPLICATION NO.14 OF 2016

IN

CIVIL REVISION APPLICATION NO.7 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 8 OF 2016

WITH

CIVIL APPLICATION NO.15 OF 2016

IN

CIVIL REVISION APPLICATION NO. 8 OF 2016

ALONG WITH

CIVIL REVISION APPLICATION NO. 9 OF 2016
WITH
CIVIL APPLICATION NO.16 OF 2016
IN
CIVIL REVISION APPLICATION NO.9 OF 2016

ALONG WITH
CIVIL REVISION APPLICATION NO. 10 OF 2016
WITH
CIVIL APPLICATION NO.17 OF 2016
IN
CIVIL REVISION APPLICATION NO.10 OF 2016

ALONG WITH
CIVIL REVISION APPLICATION NO. 11 OF 2016
WITH
CIVIL APPLICATION NO.18 OF 2016
IN
CIVIL REVISION APPLICATION NO.11 OF 2016

ALONG WITH
CIVIL REVISION APPLICATION NO. 12 OF 2016
WITH
CIVIL APPLICATION NO.19 OF 2016
IN
CIVIL REVISION APPLICATION NO.12 OF 2016

ALONG WITH
CIVIL REVISION APPLICATION NO. 13 OF 2016
WITH
CIVIL APPLICATION NO.20 OF 2016
IN
CIVIL REVISION APPLICATION NO.13 OF 2016

ALONG WITH
CIVIL REVISION APPLICATION NO. 14 OF 2016
WITH
CIVIL APPLICATION NO. 21 OF 2016
IN
CIVIL REVISION APPLICATION NO.14 OF 2016

JLS REALTY PVT. LTD.

... Applicant

Versus

NANDLAL GIRDHAR CHATURVEDI AND ORS ... Respondents

Mr. Shyam Mehta, Senior Advocate a/w. Mr. Mohan G., Mr. Ajay Fernandes i/b. MGS Legal for Applicant in all Applications.

Mr. Manoj P. Mhatre for Respondents No.1 and 2 in all Applications.

Ms K. Padmashri i/b. Kulkarni & Associates for Respondents No.3, 4 and 6 in all Applications.

Ms Ruchi Chitale a/w. Ms Himisha Lakhani i/b. Markand Gandhi & Co. for Respondent No.5 in all Applications.

CORAM : R. G. KETKAR, J.

DATE : JANUARY 25, 2016

P.C. :

Heard Mr. Mehta, learned Senior Counsel for applicant, Mr. Mhatre, learned Counsel for respondents No.1 and 2, Ms Padmashri, learned Counsel for respondents No.3, 4 and 6 and Ms Chitale, learned Counsel for respondents No.5 in all Applications at length.

2. By these Applications under Section 115 of the Code of Civil Procedure (for short 'C.P.C.'), applicant, hereinafter referred to as defendant No.3, has challenged the judgments and orders dated 21.09.2015 passed by the learned Judge, City Civil Court, Dindoshi (Borivali Division), Goregaon, Mumbai. By these orders, the learned trial Judge rejected the Motions taken out by the defendant No.3 for rejection of the plaint under Order VII, Rule 11(a) of C.P.C.

3. After arguing the Applications for quite some time, Mr. Mehta seeks permission to withdraw the Motions and submits that whatever defence is available to the defendant No.3, the same will be taken while opposing the Suits on merits.

4. In view thereof, on the motion made by Mr. Mehta, Motions are allowed to be withdrawn. Hence, impugned orders stand dissolved. All the contentions that are available to the defendant No.3 are expressly kept open in the Suits. Order accordingly.

5. In view of the disposal of the Applications, Civil Applications do not survive and the same are disposed of accordingly.

(R. G. KETKAR, J.)

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