

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 116 OF 2015
ALONG WITH
CHAMBER SUMMONS NO. 46 OF 2015**

Jasmit Kaur D/o Harvinder Chawla

...Petitioner/
Applicant

Versus

Versova Andheri Priyankar Co-operative
Housing Society Ltd. & Ors.

...Respondents

Mr. G. S. Hegde, *a/w Ms. Pinky Bhansali, for the Petitioner.*

Mr. Viraag Tulzapurkar, *Senior Advocate, a/w Ms. Jasmine K
and Mr. Dhruv Kanugo, i/b M/s. WAdia Ghandy & Co., for the
Respondent No. 1.*

Mr. Milind Sathe, *Senior Advocate, a/w Mr. G. D. Utangale & Mr.
Chetan Mhatre, i/b M/s. Ugangale & Co., for the Respondent
No.2.*

Mr. Pramod Patil, *for the Respondent No. 3.*

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**

DATED: 26th February 2016

PC:-

1. In terms of our earlier order and direction, the Petitioner is present in Court. She has identified herself. She states that a Writ Petition in this Court was filed and with this number, namely, Writ Petition No. 349 of 2015 . On her attention being drawn to the

prayers in this Petition, she confirms that indeed this Petition was filed as per the Power of Attorney signed by her in favour of her father Harvinder Chawla. Now she has taken a conscious decision and after understanding all consequences and prays for leave to withdraw the Writ Petition unconditionally.

2. In view of the statement made by the Petitioner, who is present before us, we allow the Writ Petition to be withdrawn. It is disposed of. There will be no order as to costs.

3. The ad-interim order stands vacated forthwith.

4. In the light of the Writ Petition being withdrawn and disposed of as such, the contesting Respondents need not entertain any apprehension and particularly of any advantage being taken by the observations of this Court in an order passed on 19th October 2015.

5. We clarify that the Petition having been withdrawn, none of these observations and which were in any event tentative and *prima facie* shall bind any Authority or any Forum or Court in any legal proceedings and all of them shall be decided on merits and in accordance with law.

6. In view of disposal of the Petition as withdrawn, nothing survives in the Chamber Summons and it is disposed of.

(G. S. PATEL, J.)

(S. C. DHARMADHIKARI, J.)