

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 854 OF 2015

IN
SUIT NO. 2922 OF 2010

Nagindas Mohanlal Goradia & Anr. ... Applicants /
Def. Nos. 1 and 2

IN THE MATTER BETWEEN:

M/s. Aum Shyam Constructions ... Plaintiff

Versus

Nagindas Mohanlal Goradia & Ors. ... Defendants

Mr. Zal Andhyarujina i/b. Vishal Thakkar for the Plaintiff.
Mr. R.V. Sankpal for the Applicants / Defendant Nos. 1 and 2.

CORAM : S.J. KATHAWALLA, J.
DATED : 18TH FEBRUARY, 2016

P.C.

1. The learned Advocate appearing for the Applicants / Defendant Nos. 1 and 2 on instructions seeks to withdraw the above Notice of Motion. The Notice of Motion is therefore disposed of as withdrawn.

2. The learned Advocate appearing for the Plaintiff states that the Plaintiff shall handover possession of the Suit flat to the Society by 31st May, 2016 i.e. upon receipt of the Occupation Certificate. Defendant Nos. 1 and 2 shall be at liberty to take out appropriate proceedings seeking appropriate reliefs against the Society including seeking possession of the Suit flat, which proceedings, if taken out, shall be decided on its own merits.

(S.J.KATHAWALLA, J.)