

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

**EXECUTION APPLICATION NO.92 OF 2010
WITH
CHAMBER SUMMONS NO.1221 OF 2010**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
--	---------------------------

Mr.Avinash Joshi a/w Mr.Kailash R. Tiwari for the applicant in Execution Application

Ms.Sandhya Nanavare for the Society

Mr.R.P.Lote for the applicant no.2 in Chamber Summons

**CORAM : K. K. TATED, J.
DATE : OCTOBER 5, 2017**

P.C.:

1. Heard the learned counsel for the parties.
2. Advocate for the applicant in Execution Application submits that he received instruction from his client to withdraw the present Execution Application with liberty to file appropriate proceeding for their claim. To that effect, he has filed affidavit dated 5.10.2017. He further submits that deponent of the affidavit is present in court. Deponent also admits the contents of the affidavit. Same is taken on record and marked 'X' for

identification. Same is accepted.

3. The learned counsel for the plaintiff submits that though it is stated in paragraph 3 of the affidavit that “period of limitation to file appropriate proceedings may be waived”, he is not pressing that plea. He submits that he will satisfy the concerned authority about limitation on its own merits. That issue is kept open.

4. Execution Application stands disposed of as withdrawn with liberty as prayed.

5. In view of disposal of Execution Application, pending proceeding including Chamber Summons stands disposed of.

6. No order as to costs.

(K.K.TATED, J.)