

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO. 9643 OF 2018**

Mrs. Mangal Ajinkya Gharat

and anr.

....Petitioners

V/s.

Shri.Ganesh Co-operative Hosuing

Society Ltd. and Ors.

....Respondents

\* \* \* \* \*

Mr. Vishal Kanade i/by. Ms. Smita R. Gaidhani,  
Advocate for the petitioners.

Mr. S.B. Deshmukh with Mr. Pawan Dhore with Mr.  
Irvin D'souza, Advocate for respondent no.1.

Mr. A.P. Vanarase, AGP for respondent no.2.

Mrs. Shradha Pawar i/by. Mr. Deelip N. Patil-Bankar,  
Advocate for respondent no.4.

**Coram : K.K. Tated, &**

**Sandeep K. Shinde, JJ.**

**Friday, 5<sup>th</sup> October, 2018.**

**P.C. :**

1. Heard Learned Counsel for the parties.

2. Learned Counsel Mr. Kanade, appearing on behalf of the petitioner submits that, in view of the subsequent developments, he has received instructions from his client, to withdraw the present Writ Petition. He submits that, in respect of prayer clause (d), that is, to correct the entries (I) and (J) Register, they already filed application dated 27<sup>th</sup> August, 2018 with respondent no.2 which is pending for hearing and final disposal on its own merits. He submits that, in view of this, petitioner may be permitted to withdraw the present Writ Petition. To that effect, he has given in writing. The same is taken on record and marked 'X' for identification. The same is accepted. Hence, following order :

(A). *The Writ Petition stands disposed off as withdrawn with liberty to pursue their application dated 27<sup>th</sup> August, 2018 pending*

*before respondent no.3 on its own merits.*

*(B). Respondent no.3 is directed to decide the said application as early as possible, after hearing both the sides on its own merits.*

*(C). In respect of other prayers, all contentions of both the parties are kept open.*

**(SANDEEP K. SHINDE, J)**

**(K.K. TATED, J)**