

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO.207 OF 2017
IN
COMPANY PETITION NO.1049 OF 2015**

Lakshachandi Housing & Infrastructure Pvt. Ltd.Applicant/Petitioner

Vs.

Gigaplex Developers Private Limited

....Respondent

Dr. Birendra Saraf a/w. Mr. Kalpesh and Ms. Nisha Shah i/b. Kalpesh Joshi Associates for applicant/petitioner.

Mr. Shrikant Doijode a/w. Ms. Rashne Mulla-Feroze for respondent.

Mr. Abhijit Patil i/b. Mr. Vijay Patil for Slum Rehabilitation Authority, respondent no.4.

Mr. Mayur Khandeparkar a/w. Ms. Ishwari Nankani, Mr. H.S. Khokhawalla and Ms. Gauri Menon i/b. Nankani Associates for proposed respondent no.1.

Mr. Chirag Balsara i/b. Diamondwala and Co. for proposed respondent no.2.

CORAM : K.R.SHRIRAM, J.

DATE : 9th JANUARY, 2018

P.C.:

1 The application was heard for some time. When various issues were discussed, including the fact that HDFC Limited has taken possession of the entire free sale component of the project and SRA having issued LOI in favour of proposed respondent no.2, Dr. Saraf, on instructions sought leave to withdraw this application. Dr. Saraf states that for the substantial reliefs mentioned in the affidavit in support with respect to the SRA project known as “Kingston” or “Omkar Kenspeckle” situated on the land bearing CTS Nos.78A to 78H (earlier bearing No.78 and 79) of Village Gundavali, Taluka Andheri, Mumbai Suburban District admeasuring 18156.40 square

metres and 12435.2 square metres respectively lying at Western Express Highway, Andheri (East), Mumbai (the SRA project), applicant will take out appropriate proceedings before appropriate forum for appropriate reliefs. Dr. Saraf further states that petitioner has taken out an application being company application no.400 of 2016 for appointment of Provisional Liquidator and that application be heard on a date convenient to the Court without prejudice to the withdrawal of this application.

2 Therefore, this application stands dismissed as withdrawn.

3 Company application no.400 of 2016 be listed alongwith petition on 11th January, 2018.

(K.R. SHRIRAM, J.)