

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1534 OF 2016
IN
SUIT NO.269 OF 2015**

Dr. Adil Dawoodkhan Bandukwalla	...	Applicant
and		
Asif Hakim Bandukwalla and Anr.	...	Plaintiffs
versus		
Onali Taherbhai Bandukwalla and Ors.	...	Defendants

Ms. Lata Patne, for Applicant in support of NMS.
Mr. Chirag Balsara i/by Ms. S.N.Mahamuni, for Defendant Nos.7 to 10.
Mr. Anoshak Daver i/by Mr. Ashok Dhanuka, for Defendant Nos.4 to 6.
Mr. Karl Tamboly with Mr. Sidharata Shrivastava, Mr. Toufiq Kapadia, Mr. Saahil Menon i/by M/s. D.H.Law Services, for Plaintiff in Suit No.269 of 2015.
Mr. P.G.Lad with Ms. Sayli Apte, for MHADA.
Mr. Santosh Adekar, Sr. Clerk, MHADA, present.

**CORAM: S.J. KATHAWALLA, J.
DATE: 11th APRIL, 2018**

P.C.:

1. On 9th April, 2018 this Court passed an order allowing the Applicant to direct the above Notice of Motion against MHADA. Paragraph No.1 of the said order reads thus :

“1. Since MHADA has issued notice dated 10th January, 2018 under Section 77(b) of MHADA Act, 1976 to the occupants of the Suit building, the Notice of Motion is required to be directed against MHADA. In view thereof, the Plaintiffs are allowed to carry out necessary amendment to the extent of directing the above Notice of Motion against MHADA. Amendment to be carried out forthwith.”

2. It appears that the amendments have been carried out by the Advocate for the Applicant not to the extent as directed by this Court, but by also adding the reliefs sought against MHADA. In view thereof, the learned Advocate for the Applicant admits her mistake and seeks to withdraw the above Notice of Motion with liberty to file a fresh Notice of Motion if so advised. The Notice of Motion is therefore, disposed of as withdrawn with liberty as sought. All rights and contentions of the parties are kept open.

(S.J.KATHAWALLA, J.)