

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

**COMMERCIAL APPEAL NO. 107 OF 2017
IN
CHAMBER SUMMONS NO. 1195 OF 2004
WITH
NOTICE OF MOTION (APPEALS) NO. 2898 OF 2016
IN
COMMERCIAL APPEAL NO. 107 OF 2017**

Mrs. Jyoti P. Gandhi ...Appellant(s)
Versus
Smt. Bharti R. Khokhani & Ors. ...Respondent(s)

**WITH
EXECUTION APPLICATION NO.267 OF 2003**

1(a) (i)Mrs Ila Rohit Sanghvi ...Appellant(s)
Versus
Pankaj C.Gandhi & Official Assignee,
High Court, Bombay ...Respondent(s)

**WITH
SUMMONSES FOR JUDGEMENT NO. 1266 OF 2001
IN
SUMMARY SUITS NO. 1089 OF 1999**

S.M. Sanghvi ...Appellant(s)
Versus
P.C. Gandhi ...Respondent(s)

**WITH
EXECUTION APPLICATION NO. 268 OF 2003**

Mrs. Lila R.Chhajed ...Appellant(s)
Versus
Mr. S.K. Kamble & Ors. ...Respondent(s)

**WITH
NOTICE OF MOTION (APPEALS) NO. 1516 OF 2016
IN
APPEALS NO. 380 OF 2016**

Mrs. Iia Rohit Sanghvi And 2 Ors	...Appellant(s)
<i>Versus</i>	
Dr. Pankaj C.Gandhi And 09 Ors	...Respondent(s)

**NOTICE OF MOTION (APPEALS) NO. 2499 OF 2016
IN
APPEALS NO. 380 OF 2016**

Mrs. Iia Rohit Sanghvi And 2 Ors	...Appellant(s)
<i>Versus</i>	
Pankaj C. Gandhi And 9 Ors	...Respondent(s)

**WITH
NOTICE OF MOTION (APPEALS) (L) NO. 1400 OF 2017
IN
NOTICE OF MOTION (APPEALS) NO. 2499 OF 2016**

Mrs. Iia Rohit Sanghvi And 2 Ors	...Appellant(s)
<i>Versus</i>	
Pankaj C. Gandhi And 9 Ors	...Respondent(s)

**WITH
APPEALS NO. 380 OF 2016
IN
CHAMBER SUMMONS NO. 395 OF 2004**

Mr.Iia Rohit Sanghvi And 2 Ors	...Appellant(s)
<i>Versus</i>	
Dr.Pankaj C.Gandhi And 09 Ors	...Respondent(s)

.....

Mr. Y.V. Divekar i/b. M/s. Divekar and Co. for the Appellant in Appeal No.380 of 2016 and for Respondent Nos.1(a)(i) to 1(a)(iii)in COMAP/107/2017.

Dr. P.C. Gandhi in-person-Respondent No.9 in COMAP/107/2017 and Respondent No.1 in Appeal/380/2016.

Mr. Yashodeep Deshmukh through Legal Aid for Jyoti Gandhi.

Mr. S.C. Naidu for the Respondent No.5.

**CORAM : NARESH H. PATIL AND
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED: 10th APRIL, 2018.

P.C.:-

Learned counsel for the Appellants seeks leave to withdraw the Commercial Appeal No.107 of 2017 as the Appellant is already a Respondent in Appeal No.380 of 2016. Leave is granted.

2. The Commercial Appeal No.107 of 2017 is dismissed as withdrawn.

3. In view of the above, Notice of Motion No.2898 of 2016 does not survive and stands disposed of.

4. It is clarified that we have not gone into the merits of the appeal.

5. Appeal No.380 of 2016 to be placed on **19.6.2018**.

(SMT. ANUJA PRABHUDESSAI, J.)

(NARESH H. PATIL, J.)