

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

**SUIT (L) NO. 640 OF 2017
WITH
NOTICE OF MOTION (L) NO. 2464 OF 2017
WITH
NOTICE OF MOTION NO. 87 OF 2018**

Rashida Lokhandwala ...Plaintiff/Applicant
Vs.
Mehendi Mohammed Alibhai Somji & Ors. ...Defendants

Mr.Karl Tamboly with Tushr Gujar I/b. Solicis Lex for Plaintiff.
Mr.Zal Andhyarujina with Rajshekhar Upadhyaya I/b. Dave & Girish & Co.
for Defendant No.1.
Mr.Sharan Jagtiani with Kanika Gupta I/b. Patrick Fernandes for
Defendant Nos.2 and 3.

CORAM : S.C. GUPTE, J.

DATE : 25 JANUARY 2018

P.C. :

After the Defendants motion is heard at length, particularly considering the objections raised by learned Counsel for Defendant No.1 and supported by Defendant Nos.2 and 3, learned Counsel for the Plaintiff seeks leave to withdraw the suit with liberty to file an appropriate proceeding for the reliefs *inter alia* claimed in the suit. Neither Defendant No.1 nor supporting Defendant nos.2 and 3 have any serious objection to this application.

The suit is accordingly dismissed as withdrawn with liberty as prayed. Refund of court fees in accordance with the applicable rules. The notices of motion do not survive and the same are disposed of.

(S.C. GUPTE, J.)