

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

**SUIT NO. 2753 OF 2011
WITH
NOTICE OF MOTION NO. 40 OF 2018
WITH
NOTICE OF MOTION NO. 1599 OF 2018
IN
SUIT NO. 2753 OF 2011**

Madhukar Bhau Pansare & Anr. ... Plaintiffs
Versus
Suresh Govind Zantey & Ors. ... Defendants

Mr. Ganesh Murthy i/b K.V. Aiyar & Associates for the Plaintiffs.
Mr. V.S. Panandikar, Assistant Section Officer, Court Receiver, present.
Ms. Smita Sawant a/w Amol Kharat for Defendant No.7.

CORAM : R.I. CHAGLA, J.

DATED : 4th JULY, 2019.

P.C. :

1 The learned Counsel for the Plaintiffs seeks permission to
withdraw the Suit as the Suit has become infructuous.

2 The learned Counsel for Defendant No.7 seeks discharge of the
Bank guarantees which was issued pursuant to orders of this Court as the
Suit is now being withdrawn.

3 Accordingly, the Plaintiffs are permitted to withdraw the Suit. The two Bank guarantees which have been extended on 07.03.2019 for a period of six months, are discharged.

4 The Suit is accordingly dismissed as withdrawn. The interim applications in view of the withdrawal of the Suit, shall stand disposed of. The Court Receiver has been appointed in respect of the subject property, is discharged on payment of costs and charges, if any. The Plaintiffs shall be entitled to refund Court fees as per law. Today's date shall be treated as the date of application for refund.

(R.I. CHAGLA, J.)