

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

**INTERIM APPLICATION NO. 1 OF 2020
WITH
INTERIM APPLICATION NO. 2 OF 2020
IN
THIRD PARTY APPLICATIONS FOR CC LODGING NO. 193 OF 2018
IN
SUIT NO. 220 OF 2017**

Pragnesh Podar	...Applicant
In the matter of	
Pragnesh Podar	...Plaintiff
V/s.	
Alka Podar & Ors.	...Defendants
And	
Narendra Ramprakash Podar	...Respondent

Mr. Durgesh Kulkarni i/b Ms. Priyanka Bhandari, Advocate for Respondent.
Mr. Sharan Jagtiani with Mr. Gaurav Mehta, Mr. Darshan Mehta i/b Dhruv Liladhar & Co., Advocates for Applicants.
Mr. Rohaan Cama i/b Sonu Tandon, Advocate for Defendant Nos. 1 & 2.
Mr. S.B. Gore, AGP for the State/Respondent No.3.

**CORAM : G.S. KULKARNI, J.
DATE : 4 FEBRUARY 2020**

P. C.

1. After these applications were heard for some time, learned counsel for the third party Mr. Narendra Ramprakash Podar, the legal heir of Mr. Ramprakash Podar seeks leave to withdraw the third party application No. (L) 193/18 made to the Prothonotary and Senior

Master, High Court Bombay with liberty to pursue such appropriate remedies as available in law in the pending suits between the parties.

2. This is a fair approach on the part of the applicant/third party. Accordingly the said application is allowed to be withdrawn with liberty as prayed for. It would be open to the applicant/third party to pursue such appropriate remedies as available in law and/or to move appropriate application in the pending suits to obtain documents which he feels would be necessary for adjudication of the pending suits.

3. Consequently the impugned order dated 22 January 2020 passed by the learned Prothonotary and Senior master, would not survive in view of the withdrawal of the third party application. It is accordingly set aside.

4. IA 1/2020 and IA 2/2020 are accordingly disposed of in the above terms.

5. All the contentions of the parties are expressly kept open.

[G.S. KULKARNI, J.]

corrected as per speaking to minutes of order dated 11.02.2020.