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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2683 OF 2020**

Sukh Shantiniketan Co-operative
Housing Society

.... Petitioner.

V/s

Kantilal Champalal Kothari and Ors.

.... Respondents.

Mr. Yatin Shah a/w Shahzad Khajotia for the Petitioner.

Mr. Astad Randeria a/w Ms. Avasia and Ms. Patel i/b M/s Mulla &
Mulla & Craigie Blunt & Caroe for the Respondents.

CORAM: NITIN W. SAMBRE, J.

DATE: FEBRUARY 1, 2021

P.C.:-

1] The learned Counsel for the Respondents submits that he has no objection for summoning official who is custodian of the record of documents which are mentioned at Exhibit-95 so as to prove and exhibit the same.

2] In view of above, learned Counsel for the Petitioner makes a motion for withdrawal of the Petition with liberty to move the City Civil Court with a prayer for issuing witness summons to Corporation Official so as to take order dated 10/2/2020 to its logical end.

3] Petition is disposed of as withdrawn with liberty as prayed. If application for issuing witness summons is moved by the Petitioner, same be dealt with by the City Civil Court in the light of above observations.

(NITIN W. SAMBRE, J.)