

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7257 OF 2021**

The Raghuvanshi Complex Management
Association

... Petitioner.
(Defendant No.158)

V/s.

Satish Dhirajlal Vithlani and Ors.

... Respondents
(Orig.Plaintiffs)

Mr. Sharan Jagtiani, Sr. Advocate a/w Ms. Apurva Manwani & Mr. Niranjan B. Amin i/b. M/s. B. Amin & Co. for the Petitioners.

Mr. Y. S. Jahagirdar, Sr. Advocate a/w Ms. Ranjana Parikh, Ms. Prabha Rathod & Mr. Suraj Shah for Respondent Nos.1 to 4.

CORAM : A.S. GADKARI, J.
DATE : 3rd DECEMBER, 2021.

PC. :

1. Mr. Jagtiani, learned senior counsel appearing for the Petitioner, on instructions, submitted that, the Trial Court has already framed issue No.18 i.e. whether this suit is bad for non-joinder of parties. He submitted that, his client will agitate its contentions before the Trial Court at the time of trial/decision of the said suit in that behalf.

2. In view thereof, he on instructions seeks leave to withdraw present Petition, impugning Order dated 17th January 2020 passed below Exh.739 in T.E. & R. Suit No.5/6 of 2008, with liberty to raise his contention

pertaining to issue No.18 framed by the Trial Court at the time of trial/decision of the said Suit.

Leave and liberty granted.

3. Writ Petition is disposed off as withdrawn with aforesaid liberty.

[A.S. GADKARI, J.]

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