

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2948 OF 2021

Smt.Olga Sylvan Gonsalves .. Petitioner
Versus
Shokat Yakub Kapoor and ors .. Respondents

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Mr. Sanjiv Sawant i/b Abhishek S. Motkar for the petitioner.
Mr.Sandesh Patil i/b Divya Parmar for respondent nos.1 to 11.
Mr.M.S. Lagu for respondent no.12.

CORAM: BHARATI DANGRE, J.
DATED : 24th NOVEMBER, 2021

P.C:-

1 On hearing Mr.Sawant, learned counsel for the petitioner for a considerable length of time and also Mr.Patil appearing for respondent nos.1 to 11 and learned counsel for the Corporation, when I expressed my disinclination to entertain the petition which assails the order dated 16th March 2021 passed by the Civil Judge, Sr. Division in Special Civil Suit No.1773/2012, by which the intervention sought by the petitioner by filing Application under Order 1 Rule 1 of the CPC has been rejected, learned counsel on instructions of the petitioner, who is present in the Court, seek permission to withdraw the Writ Petition, by reserving liberty to assert his title over the property which he

claim to be of his ownership by bringing the appropriate suit and also if permissible, to raise a challenge to encroachment made by the respondents, through independent proceedings.

2 Writ Petition is disposed off as withdrawn, with liberty as above.

3 Needless to state that this order is passed without any opinion on the merits of the matter.

SMT. BHARATI DANGRE, J