

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

**INTERIM APPLICATION NO.23 OF 2021**

**IN**

**SUIT NO.208 OF 2020**

|                                      |                          |
|--------------------------------------|--------------------------|
| Nellichery Shivaram Sheshadri & Ors. | .. Applicants/Plaintiffs |
| v/s.                                 |                          |
| M/s. Shree Ram Builders & Ors.       | .. Defendants            |

Mr. Sahil Mahajan for the plaintiffs.

Mr. Aditya P. Shirke for the defendant no.1.

**CORAM : A. K. MENON, J.**

**DATED : 18<sup>TH</sup> JANUARY, 2021.**

**P.C. :**

1. Mr. Mahajan seeks leave to withdraw the suit with liberty to file appropriate proceedings. He states that defendant nos.1 to 8 have been served. He seeks leave to file an affidavit of service which is now ready.
2. Defendant no.1 is represented. The learned counsel seeks to oppose the application for liberty to file appropriate proceedings. The plaintiff cannot be prevented from filing such proceedings that they may be entitled to in accordance with law.

3. Accordingly, suit is allowed to be withdrawn with liberty to file appropriate proceedings.
4. Refund as per rules.
5. Affidavit of service to be filed within one week from today.

(A. K. MENON, J.)

Digitally  
signed by  
Sandhya  
Wadhwa  
Date:  
2021.01.19  
17:52:20  
+0530