

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4270 OF 2019

Neel Nandini 'B' CHSL through its Secretary V/s. Ashok C. Chhabria and Ors.	...Petitioner ...Respondents
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Mr. Sandeep R. Waghmare, for the Petitioner.
Mr. Prashant P. Kulkarni, for the Respondent No.1.
Ms. V. S. Nimbalkar, AGP for the Respondent Nos.2 to 4 / State.

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**CORAM : C.V. BHADANG, J.
DATE : 19 OCTOBER 2022**

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. Heard for some time.

2. The learned counsel for the Petitioner – Society states that the only concern of the Society is that it should not be held liable at the instance of any of the legal representatives of the deceased member Late Smt. Kikibai Narang, if such legal representative stakes a claim for membership.

3. The record discloses that the Respondent No.1 had sought membership of the Society on the strength of a Release Deed and

Deed of Transfer executed by the legal representatives of Late Smt. Kikibai Narang.

4. The learned counsel for the Respondent No.1 submits that the Respondent No.1 is willing to file an affidavit alongwith Indemnity Bond in favour of Petitioner – Society by which the Petitioner – Society and its office bearers, shall be kept indemnified against any claim, demand sought or other legal proceedings by any other persons / heirs claiming through Late Smt. Kikibai Narang. An affidavit to that effect is filed today alongwith the copy of the Indemnity Bond. He submits that the original Indemnity Bond shall be furnished to the Society within a period of one week.

5. In such circumstances, the learned counsel for the Petitioner seeks leave to withdraw the petition.

6. The petition is disposed of, as withdrawn, subject to the statement made on behalf of the Respondent No.1 in the affidavit and the Indemnity Bond. In the circumstances, there shall be no order as to costs.

C.V. BHADANG, J.