

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

WRIT PETITION NO.10086 OF 2022

Mrs. Zahida Shaikh & Ors.

..Petitioners

Versus

State of Maharashtra & Anr.

..Respondents

Mr. Atul Damle, Senior Advocate i/by Vimlesh Singh, for the
Petitioners.

Mr. C. D. Mali, AGP, for the Respondent No.1/State.

Mr. Gaurav Bhawnani i/by Abdul Wahab Khan, for the
Respondent No.2.

CORAM : NITIN W. SAMBRE, J.

DATE : 22th AUGUST, 2022

P.C.

1. Admittedly, a suit for specific performance and injunction is pending at the behest of the petitioners on the file of City Civil Court, Mumbai. Petitioners intend to move an application for temporary injunction protecting their possession over the suit property irrespective of the orders impugned. In the wake of above, a prayer is made for withdrawal of the petition.

2. The petition as such stands disposed of accordingly.

3. However, it shall be open for the petitioners to assert their claim for grant of temporary injunction based on agreement of sale which be decided in accordance with law, as it is the contention of the petitioners that their prayer for leave to defend based on agreement of sale in the proceedings for eviction was rejected.

[NITIN W. SAMBRE, J.]