

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

**NOTICE OF MOTION NO. 1615 OF 2018
IN
SUIT NO. 828 OF 2018**

Ryan Nikhil Jhaveri ... Applicant/Plaintiff

Versus

Rusi N. Motiwala ... Defendant

Mr. Karl Tamboly a/w Ms. Alya Khan a/w Ms. Chandni Dewani i/b Vashi
& Vashi for the Applicant/Plaintiff.
Ms. Rucha Ambekar, S.O. C.R. present.

CORAM : R.I. CHAGLA, J.

DATED : 4th APRIL, 2022.

ORDER :

1 Heard Mr. Karl Tamboly, learned Counsel appearing for the Plaintiff. He has sought leave to withdraw the Notice of Motion No.1615 of 2018 on the ground that the Plaintiff no longer requires to press any of the relief in the Notice of Motion particularly considering that the Original Plaintiff Mr. Nikhil Vithaldas Jhaveri had expired and for which the relief had been sought.

2 Mr. Tamboly has further submitted that the status-quo order had been passed on 16.01.2017 by this Court in respect of all the properties of Mr. Nikhil Vithaldas Jhaveri and the Receiver of this Court had been appointed by order dated 02.02.2017 in respect of the subject property of Mr. Nikhil Vithaldas Jhaveri. In view of the demise of Mr. Nikhil Vithaldas Zaveri and the leave sought for withdrawal of the Notice of Motion, the ad-interim relief which had been granted will not survive.

3 Leave is granted. Notice of Motion No.1615 of 2018 is disposed of as withdrawn.

4 The Court Receiver appointed by order dated 02.02.2017 is discharged without drawing up account and upon payment of cost of charges to be borne by the Plaintiff.

5 The status quo order dated 16.01.2017 stands vacated in view of the disposal of the Notice of Motion.

(R.I. CHAGLA, J.)