

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
INTERIM APPLICATION NO. 1141 OF 2022**

**IN**

**APPEAL NO. 827 OF 2006**

**IN**

**NOTICE OF MOTION NO. 2 OF 2006**

**IN**

**SUIT NO. 3540 OF 2005**

Janseva Co-operative Housing Society  
(Proposed)through its Promoters and Authorized  
Signatories

...Applicants

*In the matter between*

Sheth Builders Pvt Ltd & Ors

...Appellants

*Versus*

Michael Gabriel & Ors

...Respondents

SHEPHALI  
SANJAY  
MORMARE

Digitally signed  
by SHEPHALI  
SANJAY  
MORMARE  
Date: 2022.11.15  
17:49:21 +0530

**WITH**

**APPEAL NO. 14 OF 2021**

**IN**

**INTERIM APPLICATION NO. 2617 OF 2020**

**WITH**

**INTERIM APPLICATION (L) NO. 6533 OF 2020**

**IN**

**APPEAL NO. 14 OF 2021**

**WITH**

**APPEAL NO. 15 OF 2021**  
**IN**  
**INTERIM APPLICATION NO. 2624 OF 2020**  
**WITH**  
**INTERIM APPLICATION (L) NO. 6535 OF 2020**  
**IN**  
**APPEAL NO. 15 OF 2021**  
**WITH**  
**NOTICE OF MOTION NO. 1335 OF 2017**  
**IN**  
**APPEAL NO. 827 OF 2006**

Michael Gabriel Proprietor of Gabriel and ...Appellants  
Company & Ors  
*Versus*  
Sheth Builders Pvt Ltd & Ors ...Respondents

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**Mr Zal Andhyarujina, Senior Advocate, with Shweta R Rathod, i/b**  
*Elixir Legal Services, for the Appellants in APP/15/2021.*

**Mr Rohaan Cama, with Shweta R Rathod, i/b Elixir Legal Services,**  
*for the Appellants in APP/14/2021 and for the Orig. Appellant in*  
*IA/1141/2022.*

**Mr GS Bhatt, for the Applicant in IA/1141/2022.**

**Ms Shweta R Rathod, i/b Elixir Legal Services, for the Applicants in**  
*IA/1141/2022.*

**Mr OA Das, with Priya, for Defendants Nos. 3 and 4.**

**Mr Jayesh Kini, i/b Arti Khanolkar, for Respondent No. 1 (Sheth**  
*Builders).*

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**CORAM   G.S. Patel &  
              Gauri Godse, JJ.**

**DATED:   15th November 2022**

**PC:-**

1.     After some arguments, learned Advocate for the Applicant in Interim Application No. 1141 of 2022 seeks leave to withdraw the application.
2.     The Interim Application is dismissed as withdrawn.
3.     List all the other matters on 12th December 2022 for directions.
4.     Previous orders, if any, to continue until the next date.

**(Gauri Godse, J)**

**(G. S. Patel, J)**