

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

**COMMERCIAL SUIT NO. 597 OF 2017
WITH
INTERIM APPLICATION NO. 2907 OF 2021
WITH
INTERIM APPLICATION (L) NO. 7335 OF 2020
WITH
NOTICE OF MOTION NO. 503 OF 2017
WITH
INTERIM APPLICATION (L) NO. 807 OF 2021**

Sunder Nagar Siddesh Co-operative
Housing Society Ltd. ... Plaintiff

Versus

A.A. Estate Private Limited & Ors. ... Defendants

Mr. Bhavin Gada a/w Mr. Ameet Mehta, Aayush Shah, Deep Gangar i/b
Solicis Lex for the Applicant/Plaintiff.
Ms. Jaya Bagwe i/b Ms. Sharmila Deshmukh for Defendant No.2-MHADA.
Mr. Ativ Patel a/w Mr. Harshad Vyas i/b AVP Partners for Defendant No.1.
Ms. Shilpa Redkar for Defendant-M.C.G.M.

CORAM : R.I. CHAGLA, J.

DATED : 11th APRIL, 2022.

ORDER :

1 The learned Counsel appearing for the Applicant/Plaintiff has
sought leave of this Court to withdraw the Commercial Suit No.597 of
2017 with liberty to file a fresh Suit.

2 The Commercial Suit No.597 of 2017 is disposed of as withdrawn with liberty as prayed.

3 In view of the disposal of the Suit, the Interim Applications and Notice of Motion does not survive and are accordingly disposed of.

4 Court fees are to be refunded in accordance with the Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act and the proviso to that Section, today's date is the date of making a claim for repayment. The Prothonotary & Senior Master will issue a certificate for a refund of Court Fees computed according to the Rules. He will act on production of an authenticated copy of this order without requiring a separate application.

Digitally
Signed by
WAISHALI
SUSHIL
WAGHMORE
Date:
2022.04.12
10:30:02
+0530

(R.I. CHAGLA, J.)