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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7108 OF 2023

Mehta Stores
A Partnership Firm
through its Partner
Kantilal Indermal Mehta ...Petitioner
Versus
Popatlal Lalchand Navlakha & Anr. ...Respondents

WITH
WRIT PETITION NO.7109 OF 2023

Prabhat Stores
A Partnership Firm
through its Partner
Gunwantibai Mohanraj Mehta
through the Power of Attorney Holder
Kantilal Indermal Mehta ...Petitioner
Versus
Popatlal Lalchand Navlakha & Anr. ...Respondents

WITH
WRIT PETITION NO.7110 OF 2023

Mehta Stores
A Partnership Firm
through its Partner
Kantilal Indermal Mehta ...Petitioner
Versus
Popatlal Lalchand Navlakha & Anr. ...Respondents

WITH
WRIT PETITION NO.9154 OF 2022

Bhogilal Indarmal Mehta
Versus
Popatlal Lalchand Navlakha

...Petitioner

...Respondent

**WITH
WRIT PETITION NO.8842 OF 2022**

Ganpatraj Indarmal Mehta
Versus
Popatlal Lalchand Navlakha

...Petitioner

...Respondents

**WITH
WRIT PETITION NO.8843 OF 2022**

Mangilal Indarmal Mehta
Versus
Popatlal Lalchand Navlakha

...Petitioner

...Respondent

Mr. A. S. Rao a/w. Mr. C. M. Lokesh, for the Petitioners in Writ Petition No.7108 of 2023, Writ Petition No.7109 of 2023 and Writ Petition No.7110 of 2023.

Mr. Kantilal Indarmal Mehta-Petitioner in Writ Petition No.7108 of 2023, Writ Petition No. 7109 of 2023 and Writ Petition No.7110 of 2023 present.

Mr. Ganpatraj Indarmal Mehta-Petitioner in Writ Petition 8842 of 2022 present.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 3rd JULY 2023**

P.C. :

1. Heard Mr. A. S. Rao, learned counsel appearing for the

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Petitioner in Writ Petition No.7108 of 2023, Writ Petition No.7109 of 2023 and Writ Petition No.7110 of 2023.

2. Mr. Ganpatraj Indarmal Mehta and Mr. Kantilal Indarmal Mehta are present in person. Mr. Rao, learned counsel appearing for the Petitioners tenders photocopy of Aadhar Card of said Mr. Ganpatraj Indarmal Mehta and Mr. Kantilal Indarmal Mehta. Said photocopies are also self-attested by said Mr. Ganpatraj Indarmal Mehta and Mr. Kantilal Indarmal Mehta. The same are taken on record and marked “A1” and “A2” for identification.

3. I have passed the detailed orders in these Writ Petitions on 16th June 2023, 20th June 2023 and 27th June 2023.

4. Mr. Kantilal Indarmal Mehta, obstructionist i.e. Petitioner in Writ Petition No.7108 of 2023 and Writ Petition No.7110 of 2023 as well as the Constituted Attorney of Petitioner in Writ Petition No.7109 of 2023 and Mr. Ganpatraj Indarmal Mehta, Petitioner in Writ Petition No.8842 of 2022 state that the possession of the respective suit premises in respective Writ Petitions have been handed over today in the morning to the decree holder. Both of them state that the said statement is made even on behalf of Mr. Mangilal Indarmal Mehta,

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Petitioner in Writ Petition No.8843 of 2022 and Mr. Bhogilal Indarmal Mehta, Petitioner in Writ Petition No.9154 of 2022. Both of them state that the Petitioners in all the Writ Petitions are seeking withdrawal of the Writ Petitions and all the Petitioners accept the eviction decree passed by the learned Trial Court as confirmed by the learned Appellate Court. Both of them state that they also accept the finding that the Petitioner in Writ Petition No.7108 of 2023, Writ Petition No.7109 of 2023 and Writ Petition No.7110 of 2023 have no independent right, title and interest in the suit property. Accordingly all the Writ Petitions are allowed to be withdrawn and dismissed as such.

5. In view of the conduct of the Petitioners and their Advocate as recorded in the earlier orders, although the Writ Petitions are allowed to be withdrawn, the Petitioner in each Writ Petition shall pay cost of Rs.5,000/-. Accordingly, the Petitioner shall pay an aggregated amount of Rs.30,000/- to the Kirtikar Law Library within a period of one week from today.

[MADHAV J. JAMDAR, J.]