

Laxmi

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

INTERIM APPLICATION NO. 183 OF 2020
IN
SUIT NO. 4184 OF 1998

Ahasan Usman Raeen ..Applicant/Org. Defendant No.1.

IN THE MATTER BETWEEN

Badruddin Nazir Ahmed Khan ..Plaintiff
Vs.
Ahasan Usman Raeen & Ors. ..Defendants
And
Clarry Rodrigues & Ors. ..Respondents

Adv. V. R. Tripathi *for the Applicant/Org. Defendant No.1.*

CORAM: B. P. COLABAWALLA, J
DATED: 13 MARCH 2023

P.C.

1. The above Interim Application is filed by the Applicant-Org. Defendant No.1 *inter-alia* seeking a direction to the Plaintiff to amend the Plaint by joining the Respondents in the above Application as party Defendant Nos. 24, 25, 26 and 27 to the above Suit.

2. When I pointed out to the learned Advocate appearing for Defendant No.1 that this Application is wholly misconceived and he

cannot ask the Plaintiff to join certain Defendants in his Suit, the learned Advocate appearing for Defendant No.1-the Applicant submitted that the Plaintiff has expired and therefore he wishes to withdraw the above Interim Application.

3. In these circumstances, the above Interim Application is dismissed as withdrawn. No order as to costs.

4. It is made clear that the 1st Defendant shall not be entitled to file an application seeking for the same reliefs and/or similar reliefs that are sought in the present Interim Application.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

B. P. COLABAWALLA, J