

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

INTERIM APPLICATION NO.1332 OF 2020
WITH
INTERIM APPLICATION NO.1824 OF 2022
IN
SUIT NO.674 OF 2013

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR

Date: 2023.02.17
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Arvind G. Naik and Others

...Applicants/
Plaintiffs

vs.

New D. N. Nagar Co. Op. Housing Societies
Union Limited and Others

...Defendants

Mr. Y.R. Shah, for the Applicants/Plaintiffs.

Mr. Shantanu Raktate, for Defendant No. 1.

Ms. Vedangi Tulzapurkar a/w. Ms. Pankti Prasad i/b. Wadia Ghandy
& Co., for Defendant No. 3.

Mr. P.G. Lad a/w. Ms. Shreya Shah, for Defendant Nos. 4 & 5.

Mr. Deepu Jojo a/w. Ms. Janvi Shah i/b. Wadia Ghandy & Co., for
Defendant No. 11.

CORAM : N. J. JAMADAR, J.

DATE : FEBRUARY 16, 2023

P.C.:

1. Heard the learned counsel for the parties.
2. Learned counsel for defendant No. 3 seeks time to file affidavit in reply.
3. By way of indulgence, three weeks time is granted to defendant No. 3 to file affidavit in reply and serve its copy on the applicant/plaintiff.
4. Whosoever of the defendants desire to file affidavit in reply are also at liberty to do so within a period of three weeks.

5. The plaintiffs are at liberty to file affidavit in rejoinder, if any, within one week of being served with the affidavit in reply.

IA.No.1824 of 2022 :-

6. The plaintiff No. 35 has taken out this application seeking permission to withdraw the suit qua the plaintiff No. 35.

7. Application is made absolute in terms of prayer clause (a).

8. Suit stands dismissed as withdrawn qua plaintiff No. 35.

9. The learned counsel for the plaintiffs submits that plaintiff No. 16 has given him instruction in writing to withdraw the suit qua plaintiff No. 16.

10. In view of the aforesaid statement, leave granted to plaintiff No. 16 to withdraw the suit.

11. The suit stands dismissed as withdrawn qua plaintiff No. 16 as well.

12. Necessary endorsement be made in the cause title of the plaint.

13. Interim Application No.1332 of 2020 be listed on 16th March, 2023.

(N. J. JAMADAR, J.)