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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.909 OF 2024
IN
WRIT PETITION NO.4541 OF 2010**

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Garden Health Resorts & Pvt. Ltd. ... Applicant

In the matter between

The Board of Trustees of the Port of
Mumbai ... Petitioner

V/s.

Garden Health Resorts & Pvt. Ltd. ... Respondent

**WITH
INTERIM APPLICATION NO.17999 OF 2023
IN
WRIT PETITION NO.4541 OF 2010**

The Board of Trustees of the Port of
Mumbai ... Applicant

V/s.

Garden Health Resorts & Pvt. Ltd. ... Respondent

Mr. Rohan Cama a/w Ms. Smita Dune & Mr. P.
Chaudhary i/by Mr. Arshil Ajay Shah, for Applicant.

Mr. Sanjay D. Rayrikar, AGP, for State/Respondent.

Mr. Roop Basu a/w Mr. Ahmed Padela i/by The Law
Point, for Petitioner.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 30, 2024

P.C.:

1. The Interim Application No.909 of 2024 filed for recalling of order dated 9 January 2024 passed in Interim Application No.1799 of 2023.
2. According to the review petitioner, clause (2) of order dated 9 January 2024 may be interpreted to mean direction of delivery of possession of property in dispute.
3. Therefore, it is clarified that the respondent shall remain in possession of property in dispute till decision of the present writ petition.
4. With this clarification, both the interim applications stand disposed of.

(AMIT BORKAR, J.)