

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

**WRIT PETITION NO. 9180 OF 2024
WITH
INTERIM APPLICATION NO. 10021 OF 2024
IN
WRIT PETITION NO. 9180 OF 2024**

Alap A. Ghosh And Anr ... Petitioners
Versus
Santacruz Gardn Crest Co-op
Hsg Society Ltd And Ors ... Respondents

Mr. Karl Tamboly, with Mr. Himanshu Vidhani, for the Petitioners-Applicants.

Mr. Aseem Naphade, i/b Mansi Shah, for Respondent No.1-Society.

Mr. Kaustubh Patil, for the Developer (through V.C.).

**CORAM : AVINASH G. GHAROTE, J.
DATE : 4th JULY 2024**

P.C.:

1. After hearing the learned counsels for the parties for some time, when the Court was not inclined to interfere in the concurrent orders passed by the Courts below, on the ground that the decision by the society has been by majority, learned counsel for the petitioner upon instructions seeks to withdraw the petition with liberty to raise all issues in the proceedings under Section 9

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SANKPAL

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of the Arbitration and Conciliation Act 1996, which are presently pending.

2. The statement is accepted. The petition is dismissed as withdrawn with liberty to raise all pleadings which are available in law in Section 9 Petition.

3. The pending Interim Application is disposed off as infructuous.

(AVINASH G. GHAROTE, J.)