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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
APPEAL FROM ORDER NO. 42 OF 2025  
WITH  
INTERIM APPLICATION NO. 481 OF 2025  
IN  
APPEAL FROM ORDER NO. 42 OF 2025**

Karmarkar Associates and Anr ... Appellants/Applicants

VS.

Vaibhav Co-op. Housing Society Ltd ... Respondent

Mr. Pradeep Tiwari for Appellants/Applicants.

Ms. Vishaki Bhatia for Respondent.

**CORAM : GAURI GODSE, J.**

**DATED : 17<sup>th</sup> JANUARY 2025**

**ORDER:**

1. Learned counsel for the respondent submits that the main notice of motion is kept for filing reply tomorrow i.e. on 18<sup>th</sup> January 2025. She submits that the respondent would file a reply to the notice of motion tomorrow i.e. on 18<sup>th</sup> January 2025. The appeal from order arises out of the rejection of ad interim relief by the City Civil Court on 27<sup>th</sup> September 2024.

2. Learned counsel for the appellants seeks leave to withdraw

this appeal with liberty to argue the notice of motion. Leave granted with liberty as prayed.

3. The appeal from order is disposed of as withdrawn with the aforesaid liberty as prayed.

4. It is clarified that this court has not examined the rival contentions of the parties on merits and hence, all contentions of all parties are kept open.

5. The main notice of motion to be decided uninfluenced by this court.

6. In view of disposal of appeal from order, the pending interim application is disposed of as infructuous.

7. Learned advocate for the respondent is at liberty to file Vakalatnama.

**(GAURI GODSE, J.)**