

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

**INTERIM APPLICATION NO. 8163 OF 2024
IN
SECOND APPEAL(ST) NO. 6726 OF 2023**

Borivali Anamika Niwas Chs Ltd ...Applicant
Versus
Mukesh Kothari And Others ...Respondents

**WITH
INTERIM APPLICATION NO. 4283 OF 2023
IN
SECOND APPEAL(ST) NO. 6726 OF 2023**

Borivali Anamika Niwas Chs Ltd ...Applicant
Versus
Mukesh Kothari ...Respondent

**WITH
INTERIM APPLICATION NO. 17418 OF 2023
IN
SECOND APPEAL(ST) NO. 6726 OF 2023**

Borivali Anamika Niwas Co-operative ...Applicant
Versus
Mukesh Kothari ...Respondent

Mr. Vikramjit Garewal, a/w Sunitha Perumal, i/by Sachin V. Masurkar, for the Applicant.

Mr. Gavraj Shah, a/w Adv. Videsha Rohira, Harjot Singh, Princee Vaishnav, Pratik Yani, i/b Prime Legan for the Respondent Nos. 1 to 3, and 5 to 7 and 12 to 14.

Mr. Shakeeb Shaikh (through VC), a/w Rohit Jadhav, Aishwarya Bapat, for Respondent Nos. 13, 16, 18 and 19.

CORAM : ADVAIT M. SETHNA, J.

DATE : 15 DECEMBER 2025

P.C.:

1. Heard learned counsel for the parties.
2. Mr. Vikramjit Garewal, learned counsel for the Appellant submits that a final judgment and order has been passed by the Maharashtra Real Estate Regulatory Authority, Mumbai on 11 November 2025 in RC/1/2022. In view thereof, he submits that the present proceedings have become infructuous and seeks liberty to withdraw the same.
3. Liberty is granted in the above terms.
4. The Second Appeal is accordingly disposed of as withdrawn.
5. Interim Applications, if any, in the proceedings would also not survive and the same stands disposed of.

[ADVAIT M. SETHNA, J.]