

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4030 OF 2024

Neelkamal Realtors And Builders

Pvt. Ltd. Through Imtiyaz Javed Siddiqui

...Petitioners

*Versus*

Orchid Enclave Co-Operative

Housing Society Limited & Anr.

...Respondents

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Mr. Yashpal Thakur a/w Mr. Omkar Mulekar a/w Ms. Sanjana Pardeshi,  
for the Petitioners.

Mr. Aditya Mithe a/w Mr. Krishna Tiwari a/w Mr. Shreyas Mohari i/b  
Vis Legis Law Practice, for the Respondent No.1.

Ms. P. P. Bhosale, APP for the Respondent-State.

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CORAM: MADHAV J. JAMDAR, J.

DATED: 11<sup>th</sup> JUNE 2025

P.C.:

**1.** Heard Mr. Thakur, learned Counsel appearing for the Petitioners,  
Mr. Mithe, learned Counsel appearing for the Respondent No.1 and Ms.  
Bhosale, learned APP for the Respondent-State.

**2.** In the present Writ Petition, the challenge is to the order dated  
12<sup>th</sup> June 2024 passed by the learned Metropolitan Magistrate, 6<sup>th</sup>  
Court, Mazgaon, Mumbai, below Exhibit-1 by which process has been  
issued against the Petitioner under Section 138 read with Section 141 of  
the Negotiable Instruments Act, 1881 (“**NI Act**”).

**3.** Learned Counsel appearing for the Petitioners, on instructions of  
the Petitioners, seeks withdrawal of the Writ Petition. However, he

states that all contentions raised with respect to said order dated 12<sup>th</sup> June 2024 be kept open.

**4.** Accordingly, the Writ Petition is allowed to be withdrawn and dismissed as such.

**5.** It is clarified that this Court has not considered the merits and all contentions on merits are expressly kept open.

[MADHAV J. JAMDAR, J.]