

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4528 OF 2025

Heena Haresh Shah & Ors.	...Petitioners
<i>Versus</i>	
Dinesh Shah (since deceased) through LRs	...Respondents

Ms. Kranti S.S. Anand a/w Ms. Akanksha D. Kadam, Advocate for Petitioners.

Mr. Kalpesh Joshi a/w Mr. Aman Parab i/by Kalpesh Joshi Associates, Advocates for the Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATED : 3rd April 2025

P.C.:

1. Ms. Kranti Anand, learned Counsel for the Petitioners, on instructions of the Petitioners states that except DW-2, no further witness will be examined on behalf of the Defendants.

2. In view of said statement made by Ms. Kranti Anand, learned Counsel for the Petitioners, on instructions of the Petitioner No.2, who has given instructions on behalf of all the Petitioners, learned Counsel for the Respondent 1(a) and 1(b) states that he has instructions to withdraw the Application bearing Exhibit 82 filed in L.E. Suit No. 69 of 2018. The said instructions

are given on behalf of all the Respondents by Respondent No.1(b) who is personally present in the Court.

3. The said statements made on behalf of all the Petitioners and the Respondents are accepted as undertakings given to this Court.

4. Accordingly leave is granted to withdraw Exhibit 82 Application in L.E. Suit No. 69 of 2018. As the said Application bearing Exhibit 82 is withdrawn, the impugned Order dated 28th January 2025 passed by the learned Judge, Small Causes Court, Mumbai below Exhibit 82 in L.E. Suit No. 69 of 2018 is quashed and set aside.

5. The learned Judge is requested to expeditiously dispose of said L.E. Suit No.69 of 2018.

6. The Writ Petition is disposed of in above terms with no order as to costs.

BHALCHANDRA
GOPAL DUSANE

(MADHAV J. JAMDAR, J.)

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BHALCHANDRA
GOPAL DUSANE
Date: 2025.04.03
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