

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

WRIT PETITION NO. 9944 OF 2025

Radha Prabhu Telang
Through POA Holder
Yogesh J. Gharve

... Petitioner

Versus

Mansukhlal Velji Senghani & Ors.

... Respondents

Mr. Karan Bhosale a/w Ms. Laveena Tejwani, Mr. Abdul Basit
Kudalkar and Mr. Harsh Sawant i/b NDB Law for the Petitioner

Mr. Pradeep Kadam a/w Ms. Nisha Waghmare for the
Respondent Nos.1 to 4

Mr. A. S. Pai a/w Ms. Eram Qureishi i/b Mehta & Co. for the
Respondent Nos. 1 to 6

***CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
MONDAY, 21st JULY 2025***

P.C :

1 Heard learned counsel for the parties.

2 The limited relief sought by the petitioner in the
aforesaid petition is as under:

“(b) That pending the hearing and final disposal of the Writ Petition, the hearing and all further proceedings in Special Civil Suit No. 192 of 2014 on the files of the 4th Civil Judge, Senior Division, Kalyan, be stayed.”

3 Learned counsel for the petitioner submits that the petitioner, aged 75 years, has filed an application seeking unconditional withdrawal of the suit filed by her i.e., Special Civil Suit No. 192/2014, wherein she is the sole plaintiff. He submits that the said application, along with an affidavit dated 3rd October 2024, was filed before the learned Civil Judge, Senior Division.

4 The grievance of the petitioner is that, despite the said application having been filed seeking unconditional withdrawal of the suit (in which the petitioner is the sole plaintiff), the learned Civil Judge has not taken up the said application for consideration.

5 Having regard to the age of the petitioner, the nature of the relief sought, and in particular, the application for

unconditional withdrawal of the suit (Exhibit 'B' at page 84), we deem it appropriate to direct the learned Civil Judge, Senior Division, to consider and decide the said application as expeditiously as possible and, in any event, within one week from the date of receipt of this order.

6 Writ Petition is disposed of in the above terms.

7 Writ Petition be listed on **4th August 2025** for recording compliance.

8 Registry to forthwith communicate this order to the concerned Judge.

9 All concerned to act on the authenticated copy of this order.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.