

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 13014 OF 2025

|                                            |                |
|--------------------------------------------|----------------|
| Kanakia Park CHS Ltd. Thr. Secretary       | ...Petitioner  |
| <i>Versus</i>                              |                |
| The Co. Op. Court No. 1 at Mumbai and Anr. | ...Respondents |

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**Mr. Niraj Bidawatka**, for the Petitioner.  
**Ms. Savina R. Crasto**, AGP for the Respondent No. 2-State.

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**CORAM: SUMAN SHYAM &  
S. M. MODAK, JJ.**

**DATED: 01<sup>st</sup> DECEMBER 2025.**

**PC:-**

1. Mr. Niraj Bidawatka, the learned counsel for the Petitioner submits that the learned Co-operative Court has heard arguments on the application filed by his client complaining of the deficit Court fees i.e. Exh. 36 as well as the application under Order 7 Rule 11 of the Civil Procedure Code (Exh. 16) questioning the maintainability of the proceeding and therefore, he be granted leave to withdraw the Writ petition with liberty to pursue the matter before the learned Co-operative Court. The prayer is not opposed by the learned AGP.

2. In view of the above, the Writ Petition stands disposed of, as withdrawn, with liberty as prayed for. Since it is submitted at the Bar that both the application (Exhibit 36 and 16) have already been heard, we hope and expect that the learned Co-operative

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Court would pass the final order therein, as expeditiously as possible.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)