



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISC. PETITION NO. 484 OF 2025
IN
TESTAMENTARY PETITION NO. 1796 OF 2012

Kailash Chandra Dash

...Petitioner

Versus

Shankar Ramlakhan Gupta

...Respondent

Mr. Mandar Soman (Counsel), Mr. Gobinda C. Mohanty i/b Mohanty and Associates for Applicant.
Mr. Prabhu Velar, Ms. Bhakti Patil for Petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : 17th November, 2025.

P. C. :

1. Learned counsel for Petitioner seeks permission to withdraw the present Petition as there is already a Civil Suit being 1873 of 2016 pending before the Civil Court at Dindoshi in respect of ownership of the property and in which Petitioner claims right by way of registered Gift Deed.
2. The Petition is disposed of as withdrawn.
3. It is open for the parties to raise all contentions as regards the ownership in the subject-property in the civil suit.
4. It is open for Petitioner to file counter-claim, if so, permissible in

law.

5. All rights and contentions of the parties are expressly kept open in that regard.

6. In view of above, nothing survives for consideration in pending Interim/Civil Applications, if any, and the same stand disposed of.

[Sharmila U. Deshmukh, J.]