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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL SUIT NO.10 OF 2017

Title Developers LLP Erstwhile known as

Sabari Developers LLP

...Plaintiff

v/s.

Ariisto Shelters Pvt. Ltd. & Ors.

...Defendants

WITH

INTERIM APPLICATION NO.1381 OF 2025

WITH

INTERIM APPLICATION NO.4648 OF 2022

Mr. Aditya Udeshi, a/w Mr. Rahul Sanghvi, i/by M/s. Sanjay Udeshi & Co. for the Applicant in IA/1381/2025.

Mr. Karl Tamboly, a/w Adv. Deepa Pohuja and Adv. Asfiya Cutehi, i/by J. Law Associates for the Plaintiff.

Mr. Hrushi Narvekar, a/w Mr. Samit Shah, Mr. Siddharth Shah, Mr. Mustafa Nulwala and Ms. Shriya Nalawade, i/by Trilegal for Defendant No.1.

CORAM : Kamal Khata, J.

DATED : 23rd September 2025.

P.C.:-

1. At the outset, the Counsel for the Applicant was informed that he had no locus to preempt the Plaintiff from withdrawing the suit. Despite that he chose to argue for half

an hour without placing any law before this Court supporting his contention.

2. After deliberation with the Court and on being informed about the result, the Learned Counsel for the Applicant (in Interim Application No.1381 of 2025), upon instructions, seeks leave to withdraw the Interim Application.

3. For having consumed the valuable time of this Court, he volunteers to pay costs of Rs.1 lakh to the Armed Forces. The account details are as under:

Account Name	:	Armed Forces Battle Casualties Welfare Fund
Bank Name with address	:	Canara Bank, South Block, Defense, Head-Quarter, New Delhi - 11011.
Bank Account Number	:	90552010165915
IFSC Code	:	CNRB0019055
Type of Account	:	Saving Account

4. The costs shall be paid within a period of one week from the date of uploading of the present order on the website of Bombay High Court.

5. Accordingly, the Interim Application stands disposed of as withdrawn.

6. In view of the disposal of the Interim Application, learned Counsel for the Plaintiffs, on instructions, seeks leave to unconditionally withdraw the Suit. The Defendants raise no objection to the same.

7. The Suit stands disposed as withdrawn.

8. Learned counsel for the Applicants, at this stage, seeks liberty to initiate appropriate proceedings against the concerned parties, if and when the cause of action arises against them, in view of this withdrawal, if permissible in law. Liberty granted.

9. The Registry shall refund of court fees, if any, as per applicable rules.

10. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J.)