

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 630 OF 2025

Doongursee Park Cooperative
Housing Society Limited

..Applicant

Versus

Sukumar Machines And
Constructions Private Limited & Ors.

...Respondents

Mr. R. D. Soni a/w Karan Parmar i/b. Tanvi Tapkire, for
applicant.

CORAM: N. J. JAMADAR, J.

DATE : 06th JANUARY 2026

P.C.:

1. Heard the learned Counsel for the applicant.
2. When the Court expressed its disinclination to entertain the application qua the prayer for rejection of the plaint, the learned Counsel for the applicant, on instructions, sought leave to withdraw the application with liberty to file a fresh application before the Trial Court for stay of the suit, in view of the pendency of the suit referred to in Para No. 6 of the application, i.e., Special Civil Suit No. 66/2017.
3. Leave granted with liberty as prayed for.
4. The application stands dismissed as withdrawn with liberty to file a fresh application for stay of the instant suit in view of the pendency of Special Civil Suit No. 66/2017.

5. In the event such an application is filed, the Trial Court is requested to decide the same on its own merits and in accordance with law, without being influenced by the observations in the impugned order.

[N. J. JAMADAR, J.]