

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL STAMP NO.23701 OF 1999

PRABHU S/O PANDHARI MALI
AND ANOTHER

APPLICANTS

VERSUS

BALMUKUND S/O RAMGOPAL TAPADE, DIED,
THROUGH HIS LR'S

RESPONDENTS

Mr.S.S.Bhise, Advocate for the applicants.

Mr.N.P.Patil Jamalpurkar, Advocate for respondent Nos.1A, 1B,1B3,
1C, 1B2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 05/05/2015

PER COURT :

1. This Court had passed the following order on 17/04/2015 :-

“1. Learned Advocate for the appellants submits that he has received oral instructions from the appellants to withdraw the second appeal. However, written instructions are awaited for which he prays for an adjournment so as to place the same on record.

2. Stand over to 05/05/2015 for passing orders.”

2. Learned Advocate for the appellants has placed on record a communication dated 29/04/2015 sent by the appellant Prabhu Pandhari Mali, informing the learned Advocate to withdraw the second appeal since proceedings u/s 38E of the Hyderabad Tenancy

and Agricultural Lands Act are pending. The appellant further submits through the communication that he desires to pursue the said proceedings in accordance with Law.

3. Mr.N.P.Patil Jamalpurkar, learned Advocate does not oppose.

4. The communication dated 29/04/2015 is taken on record and marked as Exhibit "X" for identification.

5. In the light of the above and in view of the statement made by the appellant in Exhibit "X", that he desires to pursue the pending proceedings under the Hyderabad Tenancy and Agricultural Lands Act, the second appeal is dismissed, as withdrawn.

6. Pending civil applications, do not survive and are accordingly disposed of.

(RAVINDRA V. GHUGE, J.)