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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 329 OF 2014
WITH
CIVIL APPLICATION NO. 377 OF 2014

Sudhakar Baburao Lagad and another ... Appellants

Vs.

Vithoba Kanuji Lagad Charitable Trust and another ... Respondents

Mr.Devendra Sharma, Advocate for Appellants.

Mr.H.V.Mehta a/w Mr.Himanshu Kode, Advocate for Respondents.

CORAM : R. G. KETKAR, J.

DATE : 30th APRIL, 2015

P.C. :

. Heard Mr.Devendra Sharma, learned Counsel for the appellants and Mr.H.V.Mehta, learned Counsel for the respondents.

2. As Regular Court presided over by Hon'ble Mr.Justice K.K.Tated passed order "Not before me", office has placed this matter before me as per administrative order passed by the Hon'ble Chief Justice.

3. Mr.Sharma states that appellants are already dispossessed and therefore, he is not pressing this appeal. He seeks permission to withdraw this appeal. Mr.Mehta disputes this position and states that appellants were neither in possession nor they were dispossessed.

4. As Mr.Sharma is withdrawing this appeal unconditionally, the same is allowed to be withdrawn and is disposed of as such. It is expressly made clear that I have not gone into the question whether appellants were in possession or that they were dispossessed.

5. In view of disposal of the Appeal From Order, Civil Application No. 377 of 2014 does not survive and the same is disposed of accordingly.

(R. G. KETKAR, J.)