

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.234 OF 2015
WITH
CIVIL APPLICATION NO.496 OF 2015

Chandrakant Shyamkaran Dubey and others... Appellants
Vs.
Nagar Parishad, Palghar and another ... Respondents

Mr. Ashok Pande for Appellants.
Mr. Balkrishna D. Joshi for Respondent No.1.
Mr. R. P. Ojha for Respondent No.2.

CORAM : R. G. KETKAR, J.
DATE : MAY 07, 2015

P.C. :

Heard Mr. Pande, learned Counsel for appellants, Mr. Joshi, learned Counsel for respondent No.1 and Mr. Ojha, learned Counsel for respondent No.2 at length.

2. By this Appeal under Section 100 of the Code of Civil Procedure, 1908, the original plaintiffs have challenged the judgment and decree dated 13.08.2014 passed by the learned II Joint Civil Judge, Junior Division, Palghar in Regular Civil Suit No.115 of 2014 as also the judgment and decree dated 20.02.2015 passed by the learned District Judge-1, Palghar in Civil Appeal No.53 of 2014.

3. Mr. Pande states that appellants No.1, 6 and 11 namely, Chandrakant Shyamkaran Dubey, Virendra Shambudayal Shukla and Narayan V. Chaudhari respectively are present in the Court. Son of appellant No.8 namely, Rajesh Kansara is also present in the Court. Upon taking instructions from them, Mr. Pande seeks permission to withdraw the Appeal. He submits that the ad-interim order granted

earlier may be continued for a period of 8 weeks from today. He further assures that appellants will not apply for extension of interim relief in any circumstances whatsoever.

4. In view thereof, on the motion made by Mr. Pande, Second Appeal is allowed to be withdrawn and is disposed of as such. Notwithstanding withdrawal of the Appeal, ad-interim order dated 19.03.2015 shall remain in operation for a period of 8 weeks from today with specific understanding that no further application for extension of interim relief will be entertained.

5. In view of the disposal of the Second Appeal, nothing survives in Civil Application No.496 of 2015 and the same is disposed of.

(R. G. KETKAR, J.)

Minal Parab