

1. Heard Mr. Mahinder Deshmukh, learned counsel for the petitioners and Mr. Bhushan Walimbe, learned counsel for respondent at length.
2. By this Petition under Article 227 of the Constitution of India, the original plaintiffs have challenged the Judgment and order dated 20.7.2015 passed by the learned Ad-hoc District Judge-1, Sangli in Misc. Civil Appeal No.44 of 2015. By that order, the learned trial Judge allowed the appeal and permitted the respondent, hereinafter referred to as 'defendant', to make construction upto ceiling level so as to have roof in his property and so as to make it habitable with all amenities and facilities, inside and outside of the said construction. The learned trial Judge set aside the Judgment and order dated 1.4.2015 passed by the learned Jt. Civil Judge, Jr. Dn., Sangli below Exhibit-5 in

R.C.S. No.110 of 2015. During the Course of hearing, Mr Walimbe submitted that original defendant also intends to challenge the impugned order.

3. After arguing the Petition for sometime, Mr. Deshmukh, upon taking instructions from the petitioners, seeks permission to withdraw this Petition. Petition is allowed to be withdrawn and is disposed of as withdrawn. It is made clear that I have not examined the challenge to the impugned order at the behest of the defendant. Order accordingly.

(R.G.KETKAR, J.)