

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.596 OF 2014
WITH
CIVIL APPLICATION NO.1430 OF 2014**

Ramesh Shivajirao Sutar & Ors. Appellants

Vs.

Vitthal Ramchandra Potdar Respondent

Mr. N.V. Bandiwadekar i/by Mr. Sagar A. Mane, Advocate for the Appellants.

Mr. Prashant Bhavake, Advocate for Respondents No.1B, 1D, 2A, 2B, 2D, 2E, 3A to 3E and 4.

Coram : Smt. R.P. SondurBaldota, J.

Date : 4th February, 2015.

P.C.

1 Mr. Bandiwadekar, the learned advocate for the appellants seeks to withdraw the Second Appeal stating that the appellants will file appropriate application before the District Court for setting aside the impugned order, which was passed exparte against the appellants. The Second Appeal is allowed to be withdrawn. Needless to say that any application that may be filed before the District Court for setting aside the exparte order shall be considered in accordance with law.

2 In view of withdrawal of the Second Appeal, the Civil Application does not survive, the same is accordingly disposed off.

(Smt. R.P. SondurBaldota, J.)