

IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 127 OF 2005

SHRI DASHARATH SHABI/SHANU
CHODANKAR AND ANR.,

... Appellants

Versus

SHRI BABU BABAL KOLE AND 5 ORS.,

... Respondents

Mrs. A. Agni, Senior Advocate with Ms. A. Kamat, Advocate for the appellants.

Mr. Valmiki Menezes, Advocate for respondent Nos.1 to 3.

Coram:- F. M. REIS, J.

Date:- 18th March, 2016

P.C.

After hearing the matter for some time, Mrs. A. Agni, learned Senior Counsel appearing for the appellants upon instructions seeks leave to withdraw the above appeal as the appellants desire to proceed the adjudication of their claim of tenancy before the appropriate forum constituted under the Agricultural Tenancy Act which are stated to be pending. The learned Senior Counsel further pointed out that such authorities should not be influenced by the observations in the impugned judgment of the claim of tenancy of the appellants.

2. Mr. V. Menezes, learned counsel appearing for the respondent nos.1 to 3 has no objection in case the appeal is allowed to be withdrawn.

3. Hence, the appeal stands dismissed as withdrawn.

4. Needless to say that the Forum constituted under the Agricultural Tenancy Act shall proceed to examine the claim of tenancy of the appellants on its own merits without being influenced by the observations in the impugned judgment with that regard.

F. M. REIS, J.

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