

IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 6 OF 2016

MR.PREMANAND NAVELKAR AND ANR., ... Appellants
Versus
MADHAV G. POI RAITURKAR (SINCE
DECEASED) THROUGH HIS LRS., ... Respondent

Mr. N. Sardesai, Senior Advocate with Mr. Deep D. Shirodkar,
Advocate for the appellants.

Coram:- F. M. REIS, J.

Date:- 21st April, 2016

P.C.

After hearing the matter for some time, Mr. N. Sardesai, learned Senior Counsel appearing for the appellants has pointed out that though some contentions were raised during the course of the hearing of the appeal before the learned Lower Appellate Court, such contentions have not been recorded nor answered by the learned Judge while passing the impugned judgment.

2. Mr. Sardesai, learned Senior Counsel upon instructions states that the appellants shall file an appropriate application before the learned Lower Appellate Court on that count and as such seeks leave to withdraw the above appeal keeping all contentions open. The appeal stands as such dismissed as withdrawn. In case any such application is filed before the learned Lower Appellate Court, such application shall be examined on its own merits in accordance with

law. All contentions raised in the above appeal are left open.

F. M. REIS, J.

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