

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO.459 OF 2014
along with
CIVIL APPLICATION NO.1342 OF 2014
IN
SECOND APPEAL NO.459 OF 2014**

Rajaram Tulsiram Gaikwad & Anr. .. Appellants/Applicants

Vs.

Gunyaba Dinkar Mohite & Ors. .. Respondents

Mr.V.S. Talkute for the appellants/ applicants.

Mr.Dilip Bodake for the respondent nos.1, 3 and 7.

CORAM : R.D. DHANUKA, J.

DATE : 2nd March 2016

P.C.

. Appellant no.1 is present in Court. Mr.Talkute, learned counsel appearing for the appellants invited my attention to clause 14 of the Memorandum of Understanding (MOU) dated 7th September 2015 signed by the parties in which the appellants had agreed to withdraw this appeal. He submits that the appellants accordingly seeks liberty to withdraw this appeal. MOU is taken on record.

2. Second appeal is dismissed as withdrawn. In view of withdrawal of the appeal, civil application does not survive and the same is accordingly dismissed. No order as to costs.

R.D. DHANUKA, J.