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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.694 OF 2016
WITH
CIVIL APPLICATION NO.735 OF 2016

Nitin B. Jadhav	...Appellant
V/s.	
Mrs.Vijaya N. Jadhav	...Respondent

Ms.Sharma Mulla i/b M/s.Jay & Co. for the Appellant.
None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 26TH OCTOBER, 2016.

P.C. :-

1. Learned counsel appearing for the appellant seeks liberty to withdraw the second appeal and file appeal from order in view of the fact that the appellant has impugned the judgment and decree passed by the first appellate Court on 30th September, 2015 remanding the suit to the learned trial Court for fresh hearing.
2. The second appeal is dismissed as withdrawn with liberty as prayed. No order as to costs.
3. In view of withdrawal of the second appeal, Civil Application No.735 of 2016 does not survive and is accordingly disposed of.

(R.D. DHANUKA, J.)