

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

**SECOND APPEAL NO.232 OF 2014
along with
CIVIL APPLICATION NO.1546 OF 2013**

Babaso Mahamadsha Fakir .. Appellant

Vs.

1. Hasansha Hanifsha Fakir (since deceased)
through legal heirs

A) Husenbi Hasan Fakir (since deceased)
through legal heirs

B) Lukmanbi Hasan Fakir & Ors. .. Respondents

Ms.Pooja Joshi-Deshpande for Appellant.

Mr.Nilabh Toshnival i/by Mr.Manoj A. Patil for Respondent nos.1B to
1D & 3.

CORAM : R.D. DHANUKA, J.

DATE : 20th October 2016

P.C.

. Learned counsel appearing for the appellant states that the parties have settled the dispute amicably and seeks liberty to file consent terms before the lower Court. Statement is accepted. The appellant is permitted to file consent terms before the lower Court.

2. Learned counsel for the appellant seeks liberty to withdraw this second appeal on the ground that the matter is settled out of the Court and to file consent terms before the lower Court.

3. The second appeal is dismissed as withdrawn. In view dismissal of the second appeal, civil application does not survive and is accordingly dismissed. No order as to costs.

R.D. DHANUKA, J.