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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL (STAMP) NO.28726 OF 2016
WITH
CIVIL APPLICATION NO.1818 OF 2016
AND
CIVIL APPLICATION NO.1819 OF 2016
IN
SECOND APPEAL (STAMP) NO.28726 OF 2016

Kirit Kumar C. Barot & Ors.	...Appellants
V/s.	
Rajendrasingh F. Gole	...Respondent

Ms.Shweta Sharma i/b M/s.Solicis Lex for the Appellants.

Mr.Amogh Karandikar i/b Khandeparkar & Associates for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 1ST DECEMBER, 2016.

P.C. :-

1. Learned counsel appearing for the appellants seeks liberty to withdraw the Second Appeal and seeks liberty to file Civil Revision Application. She states that the respondent has already applied for execution of the impugned decree and for some time the appellants be protected by way of ad-interim order.
2. Learned counsel appearing for the respondent on the other hand states that the execution application is filed. No date is

fixed by the Executing Court for taking possession. The statement is accepted.

3. If the respondent applies for possession in the said execution application, possession of the suit property shall not be taken from the appellants for a period of one week from today.

4. If any Civil Revision Application is filed by the appellants, a copy thereof shall be served upon the learned advocate representing the respondent in advance.

5. Second Appeal (Stamp) No.28726 of 2016 is accordingly dismissed as withdrawn with liberty as prayed.

6. In view of dismissal of the second appeal, Civil Application Nos.1818 of 2016 and 1819 of 2016 are infructuous and are dismissed accordingly.

(R.D. DHANUKA, J.)