

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

***SECOND APPEAL NO. 623 OF 2014
ALONG WITH
CIVIL APPLICATION NO. 1475 OF 2014***

Hambirrao Shrirang Katkar	... Appellant/Applicant
v/s	
Shivram Bapu Gandhale & ors.	... Respondents

Mr.V.S.Talkute for the appellant/applicant.

Mr.Sandeep Pathak i/by S.B.Deshmukh for Resp. Nos.1 to 5.

Coram: N.M. Jamdar, J.

Dated: 4 July 2016

P.C.:

Learned counsel for the Appellant states that the Appellant will institute a suit for partition of the property and seeks leave to withdraw the second appeal.

2 The appeal is dismissed as withdrawn. The civil application is disposed of.

3 If any suit is filed by the Appellant, it is needless to state, will be considered on its own merits.

4 Learned counsel for the Appellant requests that the ad-interim relief which was granted by this Court on 18 November 2014, be continued for a period of six weeks. Learned counsel for the Respondents opposes.

5 Considering the facts and circumstances, the ad-interim order granted on 18 November 2014, is continued for a period of six weeks. It is however clarified that any further continuation of the ad-interim order will be purely on its own merits and without being influenced by the fact that the ad-interim order was granted in this second appeal.

(N. M. Jamdar, J.)