

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****APPEAL FROM ORDER NO.1006 OF 2016****Ajay Shankar Shinde & Anr.****..... Appellants****VERSUS****Satyawan Rambhau Warghade & Ors.****..... Respondents****ALONGWITH****APPEAL FROM ORDER NO.1166 OF 2014****Apurva Ashok Palande & Anr.****..... Appellants****VERSUS****Satyawan Rambhau Warghade & Ors.****..... Respondents**

Mr.Girish Godbole, i/b. Mr.Parag Tikam for the Appellants in Appeal from Order No.1006 of 2016.

Mr.P.B.Shah, i/b. Mr.Kayval Shah for the Appellants in Appeal from Order No.1166 of 2014.

Mr.T.D.Deshmukh for the Respondent nos. 1 to 4 in Appeal from Order No.1006 of 2016 and Appeal from Order No.1166 of 2014.

**CORAM : R.D. DHANUKA, J.****DATE : 16<sup>th</sup> NOVEMBER, 2016****P.C.**

The learned counsel appearing for the appellants in each of these two appeal on instruction seek liberty to withdraw these two appeals after arguing the matters at length.

2. Appeal from Order No.1006 of 2016 and Appeal from Order No.1166 of 2014 are dismissed as withdrawn.

3. Hearing of the suit is expedited. All the parties to the suit are directed to co-operate with each other and with the learned trial judge in expeditious disposal of the suit.
4. The learned trial judge shall make an endeavour to dispose of the suit within one year from the date of communication of this order.
5. It is made clear that all observations made by the learned trial judge are prima-facie.
6. The learned trial judge shall not be influenced by the observations made by the learned trial judge in the impugned order while deciding the suit and the same shall be decided on its own merits.
7. In view of the withdrawal of the appeals from order, civil applications filed by the appellants in both these appeals do not survive and are accordingly dismissed.
8. Since Mr.Deshmukh, learned advocate appearing for the respondent nos. 1 to 4 has already filed Vakalatnama in Appeal from Order No.1166 of 2014, Vakalatnama in Appeal from Order No.1006 of 2016 is dispensed with.

**(R.D.DHANUKA, J.)**