

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 2498 OF 2016
WITH
CIVIL APPLICATION NO. 4428 OF 2016

The Executive Engineer, Lower Dudhana Project Selu, District
Parbhani and others

Versus

Manikrao Hanmantrao Mirge
Since deceased through L.Rs.
Kesarbai Manikrao Mirge and others

...

Mr. Bhagwat A. Shinde, Advocate for appellants
Mr. Deepak Kakade, Advocate for respondent No. 1A

CORAM : K.K. SONAWANE, J.

DATED : 05TH OCTOBER, 2017.

Order :-

Mr. Shinde, learned counsel for appellant - Acquiring body has tendered across the bar the photo copy of communication dated 29-09-2017 received from the authority of appellants and on instructions seeks leave to withdraw the appeal. The communication dated 29-09-2017 is taken on record and marked as Exhibit "X" for the purpose of identification.

2. In view of the aforesaid submission, the leave is granted and the appeal stands dismissed as withdrawn. No order as to costs. Registry to refund the requisite Court fees as per rules to the appellants.

3. Pending civil application, if any, stands disposed of.

Sd/-

**[K. K. SONAWANE]
JUDGE**