

(1)

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

SECOND APPEAL NO. 186 OF 2009

Nandurbar Municipal Council,
through its Chief Officer, Nandurbar
Taluka and District Nandurbar

...APPELLANT
(Original defendant)

VERSUS

1. Shri Dilipkumar S/o Bishandas Balani,
R/o near Gandhi statue, Nandurbar
Taluka and District Nandurbar
2. Mohammad Sadique Abdul Fajjaque
R/o as above
(Dismissed in view of order dated 30/10/2015)

...RESPONDENTS
(Original plaintiffs)

Shri D.S. Bagul, Advocate for appellant
Shri C.R. Deshpande, Advocate for respondents No.1 & 2

CORAM : N.W. SAMBRE, J.

DATE : 4th August, 2017

ORAL ORDER

Shri Bagul, learned Counsel for the appellant, upon instructions, makes a motion for withdrawal of appeal, with liberty to issue fresh notice under the provisions of the Maharashtra Municipal Councils, Nagar Panchayats & Industrial Townships Act, 1965.

(2)

2. The motion, since not objected, stands allowed.

3. Second Appeal stands disposed of as withdrawn, with liberty to appellant to issue fresh notice against original plaintiffs, as above.

(N.W. SAMBRE, J.)

pjm