

(1)

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

**SECOND APPEAL NO.379 OF 2017
WITH
CIVIL APPLICATION NO.7014 Of 2017**

Sambhaji s/o Deorao Dukale ..APPELLANT

VERSUS

Rupchand s/o Rambhau Dukale & ors. ..RESPONDENTS

Mr R.R. Karpe, Advocate for appellant

CORAM : NITIN W. SAMBRE, J.

DATE : 30th October, 2017

ORAL ORDER:

In view of the observations made by the appellate court in judgment dated 30th September, 2016 rendered in Regular Civil Appeal No.180 of 2014, particularly in paragraph 1, learned Counsel appearing on behalf of appellant, on instructions, makes a motion for withdrawal of second appeal. Second Appeal stands dismissed as withdrawn. In view thereof, pending Civil Application does not survive and stands disposed of accordingly.

(NITIN W. SAMBRE, J.)

amj