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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL (ST) NO.8541 OF 2017

WITH

CIVIL APPLICATION NO.616 OF 2017

Dilip Rajaram Raut & Ors.

Appellants.

V/s.

M/s. Narmada Estate Pvt. Ltd.& Anr.

..Respondents.

Mr. Khan Mohd. Yousuf for the Appellants and the Applicants.

Mr.Madhav Jamdar for Respondent No.1.

Mr.Yogesh Dabke, AGP for Respondent No.2

Coram : N.M.Jamdar, J.

Date : 10 April 2017

P.C.:-

The learned counsel for the Respondents state that the Second Appeal is not maintainable since the proceeding is arising out from the Maharashtra Rent Control Act, 1999. The learned counsel for the Appellant states that this position is correct and seeks leave to withdraw the Second Appeal. The Second Appeal is dismissed as withdrawn. All contentions on merits are kept open.

2. In case the Respondents are proceeding to act on the impugned order, they will give one weeks advance notice to the Advocate for the Appellants. In case, any possession warrant is to be issued, the Executing Court will give one weeks time to the Appellants.

(N.M.Jamdar, J.)