

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO.291 OF 2015
WITH
CIVIL APPLICATION NO.656 OF 2015
IN
SECOND APPEAL NO.291 OF 2015**

Shri. Mohan Baburao Bhilare

...Appellant

vs.

Dattatray Laxman Bhilare

...Respondent

....

Mr. V.R. Gaikwad, for the Appellant.

Mr. D.D. Rananaware, for the Respondent.

.....

CORAM : S.C. GUPTE, J.

DATED : 30 JANUARY 2017

P.C. :

. After the appeal was heard at length, it was stood over to enable the Appellant's Advocate to take instructions. Learned Counsel for the Appellant informs the Court, on instructions, that he proposes to withdraw the appeal with liberty to challenge the compromise decree by adopting suitable proceedings, including filing of a suit.

2. Appeal is dismissed as withdrawn with liberty as prayed. All contentions of the parties, including contentions of the Respondent as to the maintainability of a suit on the ground of merits as well as limitation, are kept open.

(S.C. GUPTE, J.)