

Sequeira

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

CIVIL APPLICATION NO. 677 OF 2017

(For delay)

in

SECOND APPEAL (St.) No.11532 of 2017.

Along with

CIVIL APPLICATION NO. 678 OF 2017

(For stay)

Mr. Bhagwan Nivrutti Khade .. Applicant

In the matter of

Mr. Bhagwan Nivrutti Khade .. Appellant

Vs

Shri Baburao Laman Sankhe

(Deceased through his legal heirs)

1/1. Smt.Bharati Baburao Sankhe & ors. .. Respondents

Ms.Riba Vasudevan i/b Neeta Karnik for the Appellant and
Applicant in both Civil Applications.

Coram : N.M.Jamdar, J.

Date : 24 April 2017.

P.C. :

Not on board. Taken on production board by way of
praecipe.

2. The learned counsel for the Appellant states that the Appellant has examined the position and has found that the Second Appeal is not maintainable. Accordingly leave is sought for withdrawal of the Second Appeal with liberty to take out appropriate

proceedings. Second Appeal stands disposed of as withdrawn with liberty as prayed. In view of the disposal of Second Appeal, the Civil Applications do not survive and are disposed of accordingly.

(N.M.Jamdar, J.)