

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1130 OF 2016

WITH

CIVIL APPLICATION NO. 2996 OF 2016

Mr. Lenin V. Sathe

.. Appellant

vs.

Smt. Sagubai alias Laxmi

Pandit Sathe and ors.

.. Respondents

Mr. Ajinkya A. Dhende for the Appellant.

Mr. Anoop U. Patil for Respondent Nos.1 to 3.

CORAM : M. S. SONAK, J.

DATE : 27 MARCH 2017.

P.C. :-

1] Mr. Ajinkya A. Dhende, learned counsel for the appellant, on the basis of instructions from the appellant, seeks leave to withdraw this first appeal. The father of the appellant Mr. Vitthal Sathe is present in the Court. Mr. Dhende states that the instructions have been obtained from the appellant himself, but the appellant himself remains absent today and therefore he has deputed his father in the court.

2] Leave as prayed for is granted. The first appeal is disposed of as withdrawn. The pending civil application do not survive and the same is also disposed of.

3] The respondents are at liberty to withdraw the amount of Rs.25,000/- deposited by the appellant in this court under the first proviso to section 173(1) of the Motor Vehicles Act, 1988 together with interest, if any, that may have accrued upon the said amount. The Registry to permit the respondents-claimants to do so.

(M. S. SONAK, J.)