

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 591 OF 2016

WITH

CIVIL APPLICATION NO. 1107 OF 2016

Shri. Rasiklal Nemichand SarnotAppellant

V/s.

Shri.Ramesh Narayan Patel and Ors.Respondents

* * * * *

Mr. Sanjay Kshirsagar, Advocate for the Appellant/Applicant.

Mr. Vijay Patil a/w. Mr. Nikhil Chavan, Advocate for Respondents
no.1, 2A to 2F.

Coram :- N.M. Jamdar, J.

Date :- 17 April, 2017.

PC. :-

1). The learned Counsel for the Appellant states that, due to inadvertence, Second Appeal is filed and the Second Appeal will not be maintainable since the judgment and orders are passed by the Small Cause Court, Pune. He seeks leave to withdraw the Second Appeal with liberty to take out appropriate proceedings. The Second Appeal is accordingly disposed off as withdrawn with liberty as prayed. The Respondents will inform

the date in the execution proceedings for handing over the possession well in advance to enable the Appellant to take necessary steps.

2). In view of disposal of Second Appeal, Civil Application No. 1107 of 2016 does not survive. The same is accordingly disposed off.

(N.M. Jamdar, J)