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

**CIVIL APPLICATION NO. 4497 OF 2007
IN
FIRST APPEAL (ST) NO. 18788 OF 2007**

Bashir Mahamadso Kolhapure ...Appellant
vs
Mohan Prabhakar Herlekar & Ors. ...Respondents.

.....
Mr Swaroop Karade h/f S.S.Shaha for the Applicant
.....

**CORAM : M. S. SONAK, J.
13 FEBRUARY, 2017**

P.C. :

Mr Karade, learned counsel for the appellant seeks leave to withdraw this appeal. Accordingly, the appeal is disposed of as withdrawn. In view of disposal of appeal, the Civil Application does not survive and the same is disposed of accordingly.

2 The amount of Rs.25,000/- deposited in this Court shall be transmitted by the Registrar to the concerned M.A.C.T., so that, the claimants are in a position to withdraw the same in accordance with the impugned award. This exercise should be completed within a period of four weeks from today.

3 In view of the withdrawal, the Registrar to consider

whether, the refund of court fees, in accordance with the rules, can be permitted to the appellant, and if so, to refund the same in accordance with the rules.

(M. S. SONAK, J.)