

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

APPEAL FROM ORDER NO. 1036 OF 2016
 WITH
 CIVIL APPLICATION NO.1311 OF 2016
 AND
 CIVIL APPLICATION NO.1312 OF 2016
 IN
 APPEAL FROM ORDER NO.1036 OF 2016

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Gurudatta Developers Thr.
 Its Partners Suhas Krishna Lad And Ors.Appellants

V/S

Tanubai Vishnu PatilRespondent

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Mr.S.S.Patwardan, Sr.Advocate i/b Mr.Ajay Dattatray Magadum for Appellants.

Mr.Purushottam G. Chavan for the Respondent.

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CORAM : A.A. SAYED, J.

DATED : 30 JANUARY 2017

P.C.:

Learned Counsel for the Appellants/original Plaintiffs, on instruction of Appellant No.1-Suhas Krishna Lad, seeks leave to withdraw the suit itself with liberty to take out an appropriate Application in the fresh suit being Special Civil Suit (Daily Registration) No.278 of 2017 filed by the Appellants/original Plaintiffs.

2. The Suit is allowed to be withdrawn with liberty as prayed. The Application shall be decided without being influenced by the impugned order.

3. The present Appeal from Order to stand disposed of.
4. Subject to the above, all contentions of the parties are kept open.
5. In view of disposal of the Appeal from Order, Civil Application would not survive and the same shall also stand disposed of.

(A.A. SAYED, J.)