

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

56 FIRST APPEAL NO. 3226 OF 2016
WITH
CA/4984/2015
IN
FA/3226/2016

KACHARU MADHAV MISAL
VERSUS
SHOBHA RAMDAS SELAR AND ORS.

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Ms. S.D.More, Advocate for appellant.
Mrs. P.V.Langhe, Advocate for R – 1 to 3.
Mr. A.M.Phule, A.G.P. for R – 4.

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CORAM : V.L.ACHLIYA, J.
DATE : 27th JULY, 2018
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ORAL ORDER :

1. Learned counsel for the applicant/appellant seeks permission to withdraw the Appeal with liberty to adopt appropriate remedy provided under the Indian Succession Act, 1925 to revoke the certificate of Probate issued in favour of respondent Nos. 1 to 3.
2. Allow to withdraw with liberty as prayed for. The time consumed for prosecuting the remedy before this Court may be considered in case if delay is to be considered for entertaining the proceeding before the appropriate Court.
3. Record and proceedings be sent back to the trial Court forth-with.

[V.L.ACHLIYA]
JUDGE

