

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

**948 CIVIL APPLICATION NO. 9464 OF 2018  
IN FAST/16789/2018 WITH CA/9465/2018 IN  
FAST/16789/2018**

**KASHIRAM CHARNSING RATHOD  
VERSUS  
SHREYAS RAJENDRA WAGH U/G SANGITA RAJENDRA WAGH**

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Shri Abhaya R. Rathod : Advocate for Applicant;  
Shri P.B. Vikhe Patil, Advocate, h/f. Shri V.D. Patnurkar,  
Advocate for Respondent.

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**CORAM : P.R. BORA, J.**  
Dated: October 17, 2018

**PER COURT :**

1. When the present matter is taken up for hearing, the learned Counsel for the applicant - appellant tendered across the bar the compromise pursis as well as the report of the Mediator in M.A.C.P. (R.D.) No.101 of 2018. The report, consent terms and the certified copy of the decree is taken on record and marked 'X' for the purpose of identification. The learned Counsel for the respondent is also present before the Court. It is submitted that, dispute between the parties is amicably settled and the amount as was agreed between the parties is paid to the original claimant. In the circumstances the learned Counsel for the appellant has sought leave to withdraw the present appeal.

Leave granted as prayed for. The appeal stands disposed of as withdrawn.

2. The appellant is entitled for the refund of Court fee in accordance with law.

3. The amount of Rs.25000/- deposited by the appellant be refunded to the appellant.

4. Appeal on stamp number and Civil Application Nos.9464 of 2018 & 9465 of 2018 stand disposed of.

**( PR. BORA, J. )**

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