

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

**APPEAL FROM ORDER NO.579 OF 2014
WITH
CIVIL APPLICATION NO.702 OF 2014
IN
APPEAL FROM ORDER NO.579 OF 2014**

Smt. Shantabai Ganpati Sarnaik &
Ors. ...Appellants

Versus

Narsingrao Dattajirao Sarnobat &
Ors. ...Respondents

.....

Mr. S.R. Ganbawale for the Appellants.
Mr. Amit B. Borkar for the Respondent No.1.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 3rd APRIL, 2018.

P.C.:-

Mr. Ganbavle, the learned counsel for the Appellant submits that the impugned order was passed in the year 2014. He has submitted that the evidence in the suit has already commenced. In the light of above, he seeks leave to withdraw the appeal. Leave is granted.

2. Appeal is dismissed as withdrawn.

3. The learned 2nd Jt. Civil Judge, Senior Division, Kolhapur is

directed to dispose of the suit as expeditiously as possible and in any event within a period of one year from the date of the order.

4. It is made clear that I have not gone into the merits of the matter and the learned Judge shall decide the same on its own merits and in accordance with law. All points and contentions of the parties are expressly kept open.

(SMT. ANUJA PRABHUDESSAI, J.)