

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

**APPEAL FROM ORDER (ST.) NO. 23920 OF 2018
WITH
CIVIL APPLICATION (ST.) NO. 23926 OF 2018**

Malanie Rachael D'Souza & Anr.	...	Appellants
V/s.		
Laura Athaide & Ors.	...	Respondents

- Mr.J. Rais a/w. Mr.B. Rais i/b. Ms.Priyanka V. Pandit for the Appellants.
- Mr.Jinesh Kumar Gandhi i/b. Arihant Associates for Respondent Nos.1 and 3.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th SEPTEMBER, 2018.

P.C. :

1] Learned counsel for the Appellants seeks leave to withdraw this Appeal considering the legal position that, if at all any transaction of alienation or sale takes place during pendency of the suit, then, it is always subject to the Principle of lis-pendense.

2] Therefore, the Appeal stands disposed of as withdrawn.

3] In view of disposal of the Appeal, nothing survives in the Civil Application, hence stands disposed of.

[DR.SHALINI PHANSALKAR-JOSHI, J.]