

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

APPEAL AGAINST ORDER NO.14/2018

Ku. Mangala d/o Dwarkaprasad Sharma

..VS..

The Chief Promoter, Vishwayatan Cooperative Housing Society and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Appellant in-person.

Shri Vivek Bhangde, Counsel for the respondents.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 10, 2018.

1. This appeal against order was not on the Board. In the morning session, the appellant in-person and learned counsel Shri Vivek Bhangde for the respondents mentioned before the Court that since the parties have settled the dispute, the appellant wishes to withdraw the present appeal and, therefore, the matter be taken on the Board. Accordingly, the appeal is taken at the end of the Board.

2. The present appeal against order is filed against judgment and decree dated 11.10.2017 passed by learned District Judge-12, Nagpur in Regular Civil Appeal No.493/2007. By the said, the Appellate Court remanded Regular Civil Suit No.1272/2000 with a direction to give reasonable opportunity to both the parties to adduce further evidence.

3. Appellant-Ku. Mangala d/o Dwarkaprasad Sharma is personally present in the Court. From the cause title of the appeal, it is clear that she is a legal practitioner. She is identified by learned counsel Shri Vivek Bhangde for the respondents. She tendered an affidavit dated 10.8.2018, which is taken on record and marked as "X" for the purposes of identification. In the said affidavit, she has stated that though she is represented by Advocate Shri M.R. Joharapurkar, in spite of her best efforts, he did not answer to her telephonic calls. On the affidavit, she stated that since she has settled the dispute between the respondents, she wants to withdraw the present appeal.

4. Since the appellant who is an advocate and since she wishes to withdraw the present appeal, the prayer is accepted. The appeal against order is disposed of as withdrawn.

JUDGE

!! BRW !!