

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
APPEAL FROM ORDER (ST) NO.22268 of 2017**

Vasant Bapu Patil th. His P.A.holder
Sudhir Patil .. Appellant
vs
Pandurang V asant Hawaladar & ors .. Respondents

Mr.D.B.Patil I,b Mr,.M.D.Patil for Appellant
Mr.Parmeshwar Bhise for Respondent nos.1 to 3.

CORAM : K.K.TATED, J
DATE : 25th MARCH, 2019

P.C

Heard learned counsel for the parties.

2. By this Appeal from Order, the appellant is challenging the order dated 1.7.2017 passed by the Appellate Court below Exhibit 5 in Regular Civil Appeal No.47 of 2017.

3. After hearing the learned counsel for sometime, when this Court declined to entertain the Appeal from Order, learned counsel for the appellant submits that the appellant may be permitted to withdraw the Appeal with a direction to the Appellate Court to decide Regular Civil Appeal No.47 of 2017 on its own merits as early as possible. To that effect, learned counsel for the

appellant has given in writing. The same is taken on record and marked 'X' for the purpose of identification. Same is accepted. Hence, following order :

O R D E R

- (i) Appeal from Order is disposed of as withdrawn.

- (ii) Considering the facts of the present case, hearing of Regular Civil Appeal No.47 of 2017 pending before the learned District Judge, Kolhapur is expedited.

{K.K.TATED, J}