

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.653 OF 2016**

Mr. Ganesh Ramchandra Kadam .. Appellant

Versus

Dr. Chandrakant Ramchandra Kadam & Ors. .. Respondents

H. R. Pawar for the appellant.

Mr. Ajay Panicker a/w Amit Kakri I/b Ajay Law Associates for
respondent No.4.

Mr. Chintan Shah I/b P.S. Gole for respondent No.2.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for parties.

2. Advocate for appellant submits that in view of subsequent development nothing survives in the present appeal from order. He submits that he received instructions from his client to withdraw the present appeal from order. To that effect, he has given in writing. Same is taken on record and marked 'X' for identification. Same is accepted.

3. The learned Counsel for the appellant submits that appellant/original plaintiff has filed S.C. Suit No.4948 of 2012 in

the Bombay City Civil Court, Bombay for partition and separate possession of the suit property. He submits that in the interest of justice this Hon'ble Court be pleased to expedite the hearing of the suit. Considering the submissions made by learned Counsel for the applicant, following order is passed :-

- a) Appeal from Order stands disposed of as withdrawn.
- b) Hearing of S.C. Suit No.4948 of 2012 is expedited.
- c) No order as to costs.

(K.K. TATED, J.)