

Amk

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

**FIRST APPEAL (STAMP) NO. 8700 OF 2016
WITH
CIVIL APPLICATION NO. 2811 OF 2016
WITH
CIVIL APPLICATION NO. 2812 OF 2016**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. D. S. Joshi for the Appellant.

CORAM : K. K. TATED, J.
DATE : 28th MARCH, 2019.

P. C. :

1. At the request of learned Counsel for the Appellant, matter is taken on board for urgent orders.
2. Heard learned Counsel for the Appellant.
3. Learned Counsel for the Appellant submits that he received instruction from his client to withdraw the First Appeal and pending Civil Applications. To that effect, he has given in writing. Same is taken on record and marked 'X' for identification. The same is accepted.
4. Learned Counsel for the Appellant submits that at the time of filing the First Appeal, they deposited sum of Rs.25,000/- in the Registry. He submits that the Appellant may be permitted to withdraw the said amount with accrued interest, if any, as also Court fee.

5. Considering the submission made by learned Counsel for the Appellant, the following order is passed:

- (i) The Appellant is permitted to withdraw the sum of Rs.25,000/- deposited by them at the time of filing of First Appeal in the Registry with accrued interest, if any, without furnishing any security.
- (ii) Refund of Court fee according to law.
- (iii) First Appeal (Stamp) No. 8700 of 2016 as well as Civil Application Nos.2811 of 2016 and 2812 of 2016 stand disposed of as withdrawn.
- (iv) No order as to costs.

[K. K. TATED, J.]