

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 800 OF 2015****IN****FIRST APPEAL (ST) NO. 14377 OF 2014****ALONGWITH****CIVIL APPLICATION NO. 801 OF 2015****IN****FIRST APPEAL (ST) NO. 14377 OF 2014****ALONGWITH****FIRST APPEAL (ST) NO. 14377 OF 2014****The New India Assurance Co. Ltd.****.....Appellant/
Applicant****VERSUS****Mast. Shubham Ramkrishna Kadam
& Anr.****.....Respondents**

Ms.Poonam Mital for the Appellant/Applicant.

None for the Respondents.

CORAM : R.D. DHANUKA, J.**DATE : 5th NOVEMBER, 2019****P.C.**

First appeal not on board. Taken on board.

2. Learned counsel for the appellant on instruction seeks liberty to withdraw first appeal and civil application on the ground that the appeal does not survive and has become infructuous. First appeal is dismissed as withdrawn. No order as to costs.

3. In view of the dismissal of the first appeal, civil application does not survive and is accordingly disposed off.

4. Refund of court fees, if any, as per rules.
5. The statutory amount deposited by the appellant to be refunded to the appellant by the office expeditiously.

[R.D.DHANUKA, J.]