

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

**SECOND APPEAL NO.25 OF 2001
WITH
CIVIL APPLICATION NO.335 OF 2006**

Laxman Khandu Ghule

... Appellant

Vs.

Nivrutti Khandu Ghule

since deceased through L.Rs.

1) Muktabai Nivrutti Ghule and Ors.

... Respondents

.....

Mr. Sachin Punde for the appellant.

Mr. Siddhesh Pilankar I/b. Mr. U.P. Warunjikar for respondent
Nos.1 to 5.

.....

CORAM : M. S. KARNIK, J.

DATE : 3rd OCTOBER, 2019.

P. C.:

1. Learned counsel for the appellant invited my attention to the averments made in the Para 5 of Interim Application No.1 of 2019 wherein it has specifically been stated that the appellants and the respondents have amicably settled the matter out of Court and a registered Sale Deed dated 3.8.2019 in respect of the suit property is executed by the applicants and others in favour of defendant Nos.2 and 3. As per this sale deed the Appeal is being withdrawn.

2. In view of the statement made in the Application, the Second Appeal No.25 of 2001 is allowed to be withdrawn.

3. In view of the withdrawal of the Second Appeal, nothing survives for consideration in the Civil Application. The Civil Application is disposed of accordingly.

(M. S. KARNIK, J.)