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

M/s. K. Patel and Co.

.....Appellant

V/s.

Vasantabhai Prabhubhai Mehta
deceased through LR's

.....Respondents

Mr. Rajesh Chainani i/b Mr. S. Pathak and Co. for appellant
Mr. H. S. Ansari for respondent nos. 3 to 5**CORAM : K. K. TATED, J.****DATE : APRIL 2, 2019.****P.C.**

Heard the learned counsel for the parties.

2 Advocate for the appellant submits that they have already filed consent terms before the City Civil Court, Bombay in Suit No. 4549 of 2007. Hence, nothing survives in present First Appeal. He submits that appellant may be permitted to withdraw the First Appeal. To that effect, he has given in writing. Same is taken on

record and marked as 'X' for identification. Same is accepted.

3 First Appeal No. 653 of 2016 stands disposed of as withdrawn.

4 No order as to costs.

5 Refund of court fees as per Rules.

[K. K. TATED, J.]