

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

**APPEAL FROM ORDER NO. 171 OF 2017
WITH
CIVIL APPLICATION NO.232 OF 2017**

M/s. Siddharth Progressive
through Proprietor Sahebrao S. Khiladi ..Appellant

v/s.

Kesarinath Bhiva Patil & Ors. ..Respondents

**WITH
APPEAL FROM ORDER NO. 86 OF 2017
WITH
CIVIL APPLICATION NO.1053 OF 2017**

Mahesh Devji Patel ..Appellant

v/s.

Kashinath Diva Patil & Ors. ..Respondents

Mr. R.D.Soni /b. R.S.Palas for the Appellant/Applicant.
Mr. S.J.Chaurasia I/b. Ashoka Law Firm for the Respondent No.1.
Mr. D.A.Athavale for the Respondent Nos.5 to 7.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 26th FEBRUARY, 2019.**

P.C.

1. The learned Counsel for the appellant submits that the suit itself has been disposed of and hence the appeal has rendered

infructuous. He therefore seeks leave to withdraw the appeal.

2. Leave granted. Appeal is dismissed as withdrawn.

3. Civil application does not survive in view of withdrawal of the appeal, and the same is accordingly disposed of.

(ANUJA PRABHUDESSAI, J.)