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

**FIRST APPEAL (STAMP) NO. 27394 OF 2019
WITH
INTERIM APPLICATION NO. 1 OF 2019
IN
FIRST APPEAL (STAMP) NO. 27394 OF 2019**

Ramabhai Bhiklabhai Komb

... Appellant/
Applicant

V/s.

Bapji Shidva Turya and Another

... Respondents

.....
Mr. Gautam T. Kanchanpurkar for the Applicant/Appellant.

None for the Respondents.

Mr. Ramabhai Bhiklabhai Komb, Appellant present in the Court.

.....
CORAM : R.D. DHANUKA, J.

DATE : 26th NOVEMBER, 2019.

P.C.:

. Papers are allowed to be produced at 3:00 p.m.

2. Learned counsel appearing for the appellants seeks liberty to withdraw the First Appeal with liberty to file appeal before the District Court, in view of the fact that the impugned judgment and decree is passed by the learned Civil Judge Senior Division.

3. First Appeal is dismissed as withdrawn with liberty as prayed.

4. Refund of court fees, if any, as per rules.

5. In view of the withdrawal of the first appeal, civil application does not survive and is accordingly disposed of. No order as to costs.
6. Learned Civil Judge, Senior Division is directed to issue certified copy of the impugned judgment and decree expeditiously.

(R.D. DHANUKA, J.)