

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****SECOND APPEAL NO. 77 OF 2019****ALONGWITH****CIVIL APPLICATION NO. 731 OF 2018****IN****SECOND APPEAL NO. 77 OF 2019****Anandrao Nagesh Desai****..... Appellant****VERSUS****Santosh Sadashiv Bhagwat****..... Respondent**

Mr.Kaustub Kulkarni for the Appellant.

Ms.Manisha Prajapati, i/b. Mr.S.V.Dadavarte for the Respondent.

CORAM : R.D. DHANUKA, J.**DATE : 27th AUGUST, 2019****P.C.**

Learned counsel for the appellant states that the matter is already settled between the parties out of court before the executing court and seeks liberty to withdraw this second appeal on that ground. Statement is accepted. Second appeal is dismissed as withdrawn. No order as to costs.

2. In view of withdrawal of the second appeal, Civil Application No. 731 of 2018 does not survive and is accordingly disposed of. No order as to costs.

[R.D.DHANUKA, J.]