

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAA) NO. 01/2020
IN
APPEAL AGAINST ORDER NO. 42/2018

Nagorao S/o Parasramji Pise

-VERSUS-

Ganpatrao S/o Marotrao Araspure since deceased thr. Legal representatives.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.B. Tiwari, Advocate for applicant/appellant.
Shri M. A. Sable, Advocate for respondent Nos. 1B to 1G.

CORAM : VINAY JOSHI, J.

DATE : JANUARY 03, 2020.

Heard.

2. The appellant is seeking permission for withdrawal of this appeal against order on account of mutual settlement. Initially, the appellant had filed suit for specific performance which was came to be decreed. Being aggrieved, the respondents filed first appeal in which judgment of Trial Court is set aside and the case is remanded under Order XLI Rule 23 or 23-A for fresh hearing.

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3. In the wake of such background, the parties have amicably settled the matter out the Court and accordingly, compromised decree has been passed in Trial Court.

4. Obviously, nothing survives and therefore, permission is granted to withdraw this appeal against order. The learned counsel for appellant has submitted that the appellant is also present in Court to whom he identified.

5. Since appeal against order stands disposed of, all applications pending stand disposed of.

JUDGE

Gohane.