

Maria S.

**IN THE HIGH COURT OF BOMBAY AT GOA
FIRST APPEAL NO.103 OF 2015**

P. N. Writer And Co. Pvt. Ltd., thorough its Sr. **.Petitioners**
Manager-Legal Neville Mukadam

Versus

Shripad Vassudev Lad (since deceased)
represented by legal heirs And 2 Ors. **...Respondents**

Mr. Akshay Shirodkar, Advocate *for the Petitioners.*

**CORAM: M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.**

Date: 31st August 2021

P.C.

1. Mr. A. Shirodkar, learned Counsel for the appellant points out that the appellant's application under Order 9 Rule 13 for setting aside the ex-parte decree which was incidentally the same ex-parte decree which was questioned in this appeal has since been allowed. Therefore, he seeks leave to withdraw this appeal and to prosecute the suit which has now been restored.

2. Accordingly, leave is granted to withdraw this appeal with liberty as prayed for.

3. Since this appeal has been withdrawn, the appellant is at liberty to apply for refund of proportionate Court fees in terms of the rules as may be applicable.

SMT. M. S. JAWALKAR, J.

M. S. SONAK, J.