

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

**APPEAL FROM ORDER NO. 48 OF 2021
WITH
INTERIM APPLICATION NO.1769 OF 2020**

M/s. Shreenath Developers ... Appellant / Applicant

V/s.

Kalpana Digambar Manvacharya & ors. ... Respondents

Mr. Gautam J. Jain i/b. Mr. M. J. Bhatt for the Appellant/proposed the Defendant No.5.

Mr. Sanjeev Kadam a/w Mr. Sameer Mhatre, Mr. Amol Mhatre for the Respondent Nos.1 and 2.

CORAM : A.S. GADKARI, J.

DATE : 22nd November, 2021

PC. :

1. Learned Advocate for the Appellant / proposed Defendant No.5 submitted that, he has received instructions in writing from the Appellant to withdraw present Appeal unconditionally as the Appellant and Respondent Nos.1 and 2 / original Plaintiffs have amicably settled the matter and they are intending to file Consent Terms before the Trial Court. The said communication issued by proposed Defendant No.5 is taken on record. He therefore, seeks leave to withdraw the the present Appeal unconditionally.

Leave granted.

Appeal is disposed of as withdrawn.

2. In view of disposal of Appeal, Interim Application No.1769 of 2020 does not survive and, is accordingly, disposed off.

[A.S. GADKARI, J.]