

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

**INTERIM APPLICATION NO. 3480 OF 2020
IN
SECOND APPEAL NO. 553 OF 1995**

Laxman Nana Palve (Decd) by LRs & Ors. ..Applicants.

IN THE MATTER BETWEEN

Laxman Nana Palve (Decd) by LRs & Ors. ..Appellants

Vs.

Anjanabai Sukhdeo Awhad
(Decd) through LRs & Ors.

...Respondents

Mr. B. G. Tangsali, for the Applicants.

Ms. Vrushali Raje i/b. Mr. P. M. Joshi, for the Respondents.

CORAM : C.V. BHADANG, J.

DATE : 18th FEBRUARY 2021

P.C.

. This is an application for recall of the order dated 7/6/2019 and 26/6/2018 passed by the Registrar Judicial of this Court and for restoration of the Second Appeal No.553/1995 which was dismissed on account of conditional order for failing to take steps in respect of the deceased respondent No.1.

2. The learned counsel for the parties point out that the parties have amicably settled the dispute out of Court. The parties have filed Consent Terms before the Executing Court in Special Darkhast No.93/2003. The execution case has been disposed of in view of the Consent Terms on 15/2/2021.

2. In such circumstances, the learned counsel for the appellants, on instructions, states that the appellants are not desirous of prosecuting the appeal. He therefore seeks leave to withdraw the application for restoration and the second appeal.

3. In that view of the matter, the interim application is disposed of, as withdrawn.

C.V. BHADANG, J.