

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****SECOND APPEAL (ST) NO. 23753 OF 2017****WITH****CIVIL APPLICATION NO.252 OF 2018****WITH****INTERIM APPLICATION NO.1836 OF 2021**

Kamalabai Shantilal Gandhi

... Appellant

V/s.

Shantilal Uttamchand Mutha and Ors.

... Respondents

Mr.Kunal Kumbhat i/b. Ms. Sunanda Kumbhat for Appellant/Applicant.

Mr.Uday Warunjikar for Respondent No.1.

CORAM : A.S. GADKARI, J.**DATE : 7th September, 2021.****PC. :**

1. Mr. Kumbhat, learned counsel appearing for the Appellant, on instructions seeks leave to withdraw present Second Appeal (St.) No.23753 of 2017 unconditionally.

He further submitted that, he has instructions to also withdraw Special Civil Suit No.34 of 2001, which was filed by Appellant in the Court of Civil Judge, Senior Division, Malegaon, District Nashik.

2. In view thereof, Appellant is permitted to withdraw Special Civil Suit No.34 of 2001. Special Civil Suit No.34 of 2001 pending on the file of the Civil Judge, Senior Division, Malegaon, District Nashik is accordingly disposed off as withdrawn.

3. As a consequence thereof, Appellant is also permitted to withdraw present Second Appeal unconditionally.

Present Second Appeal is disposed off as withdrawn.

4. In view of withdrawal of Second Appeal, Interim Application No.1836 of 2021 and Civil Application No.252 of 2018, do not survive and are accordingly disposed off.

[A.S. GADKARI, J.]

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