

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

**Civil Application [CAS] No.453 of 2021**  
**in**  
**Second Appeal No.311 of 2017**

Vasant Bapurao Nagpure  
 vs.  
 Deepali w/o Dinesh Chirde & another

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

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Court's or Judge's Orders

Shri A.A. Sambaray, Advocate for the Applicant/Appellant.  
 Shri N.S. Badhe, Advocate for the Respondents.

**CORAM : S.M. MODAK, J.**  
**DATE : 3<sup>rd</sup> AUGUST, 2021.**

Heard.

The appellant - original plaintiff wants to withdraw the appeal. The suit for possession was decreed. It was challenged in the first appeal. The appeal was allowed. Hence, this appeal by the plaintiff.

The learned Advocate for the respondents - original defendants is consenting for withdrawal. He submits that both the parties have settled their dispute out side the Court.

In view of that, the following order is passed:

- (i) The appeal stands disposed of as withdrawn.
- (ii) The parties to bear their own costs.
- (iii) Court fee be refunded to the appellant as per rules.
- (iv) The application is disposed of accordingly.

**JUDGE**