

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO.2962 of 2008

**MAHEMOODKHA NAMDARKHAR AND ANOTHER
VERSUS
ASHRAFBEG SATTATARBEG PATHAN AND OTHERS**

....

Mr. S.U. Choudhari, Advocate for the appellants

Mr. S.G. Chapalgaonkar, Advocate for Respondent No.3

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 14th JANUARY, 2022

PER COURT:-

1. Mr. S.U. Choudhari, learned counsel for the appellants and Mr. S.G. Chapalgaonkar, learned counsel for respondent no.3 are present. The appeal is already dismissed against respondent no.2. The appeal is abated against respondent no.1.

2. Mr. S.U. Choudhari, learned counsel for the appellants seeks leave to place on record the compromise deed arrived between the parties along with pursis.

3. Leave granted. The compromise deed arrived between the parties along with pursis is taken on record and marked as 'X' for identification.

4. Mr. Choudhari, learned counsel for the appellants submits that in view of compromise arrived at between the parties, the appellants does not want to prosecute this appeal. He seeks leave to withdraw the appeal unconditionally.

5. Mr. Chapalgaonkar, learned counsel for respondent no.3 has no objection for withdrawal of appeal unconditionally.

6. Leave granted. The appeal stands disposed of as withdrawn unconditionally.

7. No order as to costs.

8. Pending civil application, if any, also stand disposed of.

9. R & P be sent back to the Lower Court.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane