

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 359 OF 2016
AND
CIVIL APPLICATION NO. 2609 OF 2022
AND
CIVIL APPLICATION NO. 5632 OF 2022

MAHADEV SHRIRANG DHOLE AND OTHERS
VERSUS
CHHAYA LAXMAN JADHAV DIED THROUGH
LRS. PRASHANT LAXMAN JADHAV AND OTHERS

...
Advocate for the appellants : Mrs. M.A. Kulkarni
Advocate for the respondents no. 1 to 3 : Mr. E.S. Murge
...

CORAM : MANGESH S. PATIL, J.

DATE : 2 MAY 2022

PC :

Not on Board. Mentioned. Production is allowed.

2. Learned advocate Mrs. Kulkarni for the appellants tenders across bar affidavit of three appellants seeking to withdraw the second appeal unconditionally and praying for refund of the court fees as per rules as also the amount of Rs.60,000/- deposited in this court as condition precedent for grant of stay to the execution of the decree, which is taken on record and marked 'X' for the purpose of identification.

3. Since the appellants are seeking to abandon the second appeal, no leave is necessary.

4. The second appeal is dismissed as withdrawn. Refund the court fees as per rules.
5. Refund amount of Rs.60,000/- (Rupees Sixty Thousand) deposited by way of security along with accrued interest, if any, to the appellants.
6. Pending civil applications stand disposed of.

[MANGESH S. PATIL]
JUDGE

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