

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

1001 FIRST APPEAL NO. 2737 OF 2016

PRALHAD NAMDEO MORE & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for the appellants : Mr.G.K.Sontakke
AGP for Respondent-State : Mr.P.M.Kulkarni

...
CORAM : S.G.DIGE, J.
DATE : 18.08.2022

P.C. :

1] Heard the learned counsel for the appellants sometime. The learned counsel for the appellant submits that the appellants be permitted to withdraw this appeal and file the appeal under Section 96 of the Civil Procedure Code before the District Court.

2] The learned counsel for the respondents has no objection for it. The learned counsel for the respondents submits that the respondents have received part compensation, hence, direction be given to the District Court to decide the appeal within stipulated period.

3] I have heard both learned counsel. Considering the request of the learned counsel for the appellants, appellants are allowed to withdraw the appeal. Accordingly, Appeal is disposed of.

4] Liberty is granted to file an appeal as per the provisions of law. The appellants shall file appeal within four weeks.

5] The learned District Court is requested to decide the appeal, if filed by the appellant, as early as possible, preferably within six months on its own merit.

6] Interim relief to continue till filing of the appeal before the District Court.

7] R. & P. be relegated to the concerned Court.

8] In view of disposal of the Appeal, pending Civil Applications do not survive and same stand disposed of.

[S.G.DIGE]
JUDGE

DDC