

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

**APPEAL FROM ORDER NO. 41 OF 2021
WITH CA/12245/2021 IN AO/41/2021
WITH CA/3992/2022 IN AO/41/2021
LATE DR. SIMANT MEMORIAL ANANT VIDHARTHI GRUHA AND
SADANIDHI, AURANGABAD THROUGH ITS SECRETARY
VERSUS
DATTATRAYA NARHARRAO KHAIRNAR.**

...

Advocate for the Appellant : Mr.A.S. Jagtap h/f Mr. Dixit Sushash V.

**CORAM : MANGESH S. PATIL, J.
DATE : 12.04.2022.**

PER COURT :

Not on board. Taken on board.

2. This is an appeal from order by the original plaintiff being aggrieved and dissatisfied by the judgment and order passed by the lower appellate court directing the suit to be remanded to the trial court.

3. Learned advocate Mr. Jagtap h/f Mr. Dixit learned advocate who appears for the appellant/original plaintiff on written instructions from the Secretary Uttamrao Daulatrao Mansute dated 12.04.2022 seeks leave to withdraw the appeal. Communication is marked as 'X' for the purpose of identification.

4. Leave is granted.

5. Appeal from order and pending applications are disposed of as withdrawn.

(MANGESH S. PATIL, J.)

mkd/-