

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

SECOND APPEAL NO.140/2022

Sau. Usha W/o Kailash Khandelwar

...Versus...

Dr. Tirupati s/o Ramrao Satyanarayan

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

Court's or Judge's orders

Shri N.D. Khamborkar, Advocate for appellant
Shri Kalyan Chiwarkar, Advocate h/f Shri Anand Parchure, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 12/09/2022

1. Since the judgment in Regular Civil Appeal No.77/2015 is being challenged, which stems out of the judgment dated 28/04/2015, passed by the learned Trial Court in a suit for eviction under the Maharashtra Rent Control Act, a second appeal would not be available, as the judgment is challengeable in a writ petition.
2. Shri N.D. Khamborkar, learned counsel for the appellant seeks leave to withdraw the appeal with liberty to approach the appropriate Court.
3. Statement is accepted. The second appeal is dismissed as withdrawn with liberty as prayed for. No order as to costs.