

Pooja K.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

SECOND APPEAL NO. 358 OF 1994

Panditya Champatya (died)
Thr LRs Sarjabai Pandityaa and Anr. ... Appellants
Versus
Bajirao alias Bajya Champtya (died)
Thr LRs Shashikalabai Bajirao Champtya and Ors. ... Respondents

...
Mr. S.A. Ambad h/f. Mr. S.K. Kadam – Advocate for Appellants

....

CORAM : GAURI GODSE, J.
DATE : 20th February, 2023

PER COURT :

1. This Second Appeal is circulated on behalf of appellants for withdrawal of the Second Appeal.
2. Learned counsel appearing for the appellants state that, appellant no.1 has expired on 13th December, 2016. He states that, there are no instructions on behalf of heirs and legal representatives of appellant no.1 for prosecuting the Second Appeal. Hence, the Second Appeal is already abated as against appellant no.1.

3. Appellant no.2 is present in the court. Learned advocate for appellants on instructions seek leave to withdraw the Second Appeal.
4. The Second Appeal is dismissed as withdrawn.
5. In view of the withdrawal of the Second Appeal, pending Civil Applications also stand dismissed.
6. Mr. S.A. Ambad – learned counsel holding for Mr. S.K. Kadam – learned counsel appearing for the appellants has already given no objection to the present advocate, hence, he has no instructions for the appellants.

[GAURI GODSE]
JUDGE