

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SECOND APPEAL NO. 37 OF 2022
WITH
INTERIM APPLICATION NO. 378 OF 2022
WITH
SECOND APPEAL NO. 274 OF 2022
WITH
INTERIM APPLICATION NO. 1917 OF 2022**

Gundu Bhau Kunkekar ..Appellant/Applicant.

v/s.

Kerba Bhau Kunkekar ..Respondents

Mr. Yuvraj Narvankar for the Appellant/Applicant.
None for the Respondent.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 30th OCTOBER, 2023 .**

P.C.

1. When this Court was not inclined to admit the appeal, learned Counsel for the appellant sought leave to withdraw the appeal with liberty to file a suit for rectification of the Deed of Partition.
2. Appeal is dismissed as withdrawn.
3. Suit, if any filed, shall be decided on its own merits.

(ANUJA PRABHUDESSAI, J.)