

Harish

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

SECOND APPEAL NO. 39 OF 2012

WITH

CIVIL APPLICATION NO. 32 OF 2023

IN

SECOND APPEAL NO. 39 OF 2012

Namdev Appaji Nikam

(Since deceased by his legal heirs)

1A) Smt. Kamal Namdev Nikam & Ors. ...Appellants

Versus

Nivrutti Appaji Nikam & Ors. ...Respondents

Mr. Prajakt M. Arjunwadkar, for the Appellants.

Mr. Sanna Jamadar i/b Umesh Mankapure, for the Respondents.

CORAM : MADHAV J. JAMDAR, J.

DATE : 25th April, 2023

P.C.:

1. Mr. Ajunwadkar, learned counsel appearing for the Appellants has filed withdrawal pursis executed by Appellant Nos. 1B and 1C. He states that, Appellant No. 1A has passed away and Appellant Nos. 1B and 1C are the legal representatives of Appellant No. 1A.

2. Appellant Nos. 1B and 1C are present in Court and confirms that, they want to withdraw the Second Appeal. The withdrawal

pursis is taken on record and marked 'X' for identification.

3. Accordingly, the Second Appeal is allowed to be withdrawn and dismissed as such.

4. In view of dismissal of Second Appeal, nothing survives in the Civil Application and the same is also dismissed.

(MADHAV J. JAMDAR, J.)