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

**SECOND APPEAL NO.277 OF 2006
WITH
CIVIL APPLICATION NO.496 OF 2009**

Shri Murlidhar Mahipat Lande ...Appellant
Versus
Shri Kundalik Mahipat Lande & Ors. ...Respondents

Mr. Sameer Suryawanshi, for the Appellant.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 24th APRIL 2023**

P.C. :

1. Heard Mr. Sameer Suryawanshi, learned counsel appearing for the Appellant. He tenders affidavit dated 17th April 2023 of the sole Appellant-Murlidhar Mahipat Lande. In the said affidavit, the Appellant has stated that, due to his old age, he do not want to prosecute the Second Appeal and therefore, he is seeking withdrawal of the Second Appeal.

2. In view of the said affidavit dated 17th April 2023 of the Appellant, the Second Appeal is allowed to be withdrawn and dismissed as such.

3. In view of the withdrawal of the Second Appeal, nothing

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survives in the Civil Application and the same is also disposed
of.

[MADHAV J. JAMDAR, J.]