



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.342 OF 2023
WITH
INTERIM APPLICATION NO.4183 OF 2023**

Rajan @ Rajendra Digambar Sasane	...	Appellant
versus		
Digambar Rambhau Sasane and Ors.	...	Respondent

Mr. Mandar Limaye, for Appellant.

CORAM: N.J.JAMADAR, J.

DATE : 2 AUGUST 2023

P.C.

1. Heard the learned Counsel for the Appellant.
2. The learned Counsel submits that, in the intervening period, the Appellant-Plaintiff has amended the Plaint and has sought prayers of declaration and the possession of the subject lands.
3. The learned Counsel for the Appellant seeks leave to withdraw the Appeal with liberty to take out appropriate application before the trial Court.
4. Leave granted with liberty as prayed for to take out appropriate application, if permissible in law.
5. In the event of such an application is taken out, the trial court shall decide the same on its own merits, including the objection to the tenability thereof, which may be raised on behalf of the Defendants.

6. Appeal accordingly stands disposed as withdrawn.
7. Interim Application also stands disposed.

(N.J.JAMADAR, J.)