

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1038 OF 2008
WITH
CIVIL APPLICATION NO. 4457 OF 2007
IN
FIRST APPEAL NO. 1038 OF 2008

Percy Issac Malekar

...Appellant/
...Applicant

Versus

Shahid Proprietor Of M/s. Geholot Development
Services and Anr.

...Respondents

HUSENBASHA
RAHAMAN
NADAF

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HUSENBASHA
RAHAMAN NADAF
Date: 2023.12.04
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Mr. Suresh M. Sabrad, Advocate for Appellant.

CORAM : M.M. SATHAYE, J.

DATE : 1st DECEMBER, 2023

P.C. :

1. Mr. Sabrad, learned counsel for the Appellant states that he has received written instructions on 22/10/2023 requesting him to withdraw the Appeal because sole Respondent has expired and after her death, the Appellant is the only legal heir. Said written instructions are taken on record and marked 'X' for identification.

2. The First Appeal is accordingly dismissed as withdrawn. No order as to cost. Office is directed to refund Court fees as permitted under Rules.

3. In view of the disposal of the above First Appeal, all pending Interim Applications, if any, are disposed off.
4. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)