

Pallavi

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.170 OF 2021**

Purshotam Shankar Kadam

(Since deceased through Legal Heirs

1a) Shri Vijay Purshotam Kadam & Ors.

...Appellants

Versus

Shri. Raghunath @ Purshotam Kanaji Thakkar and Ors. ...Respondents

- Mr. Ranjeeth Patil, for the Appellants.

CORAM : MADHAV J. JAMDAR, J.

DATE : 13th JUNE 2023

PC. :

1. Mr. Patil, learned counsel appearing for the Appellants seeks withdrawal of the Second Appeal with liberty to adopt appropriate proceedings.

2. Accordingly, Second Appeal is allowed to be withdrawn with liberty to file appropriate proceedings. It is clarified that this Court has not considered the merits of the case including the maintainability of other proceedings.

3. In view of withdrawal of Second Appeal, nothing survives in the Civil Application/Interim Application, if any and the same are also disposed of.

4. Refund of Court fees, as per Rules.

[MADHAV J. JAMDAR, J.]