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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 382 OF 2020

WITH

INTERIM APPLICATION NO. 8023 OF 2024

WITH

CIVIL APPLICATION NO. 339 OF 2020

Ramchandra Laxman Joshi ... Applicant/Appellant

Vs.

Kolhapur Municipal Corporation ... Respondents

through its Commissioner Kolhapur and Anr.

Mr. Kalpesh Patil for the Appellant.

Mr. Abhijit Adagule a/w. Mr. Shantanu Patil for Respondent Nos. 1 and 2.

CORAM : GAURI GODSE, J.

DATE : 30th JULY 2024

ORDER :

Interim Application No. 8023 of 2024

1. This application is for bringing on record names of heirs and legal representatives of the deceased sole appellant. There is delay of three years and 125 days in filing the application.

2. Learned counsel for the applicant submits that the delay in filing the application is explained in paragraph 10 of the application.

He further submits that the heirs and legal representatives of the sole appellant has by way of written instructions informed that they do not wish to prosecute the Second Appeal and instructed him to withdraw the Second Appeal.

3. Learned counsel for the appellant has tendered copy of the written instructions and the same are taken on record.

4. For the reasons stated in the application, delay is condoned, application is allowed in terms of prayer clause (a), (b) and (c). Amendment to be carried out within three weeks.

5. Interim Application is disposed of in the above terms.

Second Appeal No. 382 of 2020

6. In view of the written instructions tendered on record, learned counsel for the appellant seeks leave to withdraw the Second Appeal. Leave granted.

7. Second Appeal is disposed of as withdrawn.

8. In view of the withdrawal of the Second Appeal, Civil Application No. 339 of 2020 is disposed of as infructuous.

[GAURI GODSE, J.]