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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO. 729 OF 2017
WITH
CIVIL APPLICATION NO. 1009 OF 2016
IN
SECOND APPEAL NO. 729 OF 2017**

Abdul Gani Nabi Attar
(Decd. Thr. LRs and anr)

.....Appellants

Vs.

Smt. Jaitunbai Rasul Attar and ors

.....Respondents

Mr. Dhananjay A. Utture a/w Mr. Prajakt Arjunwadkar Advocate for the Appellants

Mr. Tejpal Ingale a/w Ms. Priyanka Babar a/w Mr. Chaitanya N. Narvekar for respondent nos. 1 to 3

CORAM : GAURI GODSE, J.

DATE : 7th OCTOBER 2024

ORDER:

1. Learned counsel for the appellants submits that in connected Second Appeal No. 569 of 2016, the impugned judgment and decree in the second appeal is already confirmed. He further submits that special leave petition challenging the said order is also dismissed. Learned counsel for the appellants thus submits that nothing survives

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in the second appeal.

2. In view of the aforesaid, second appeal is dismissed.

3. In view of dismissal of second appeal, Civil Application No. 1009 of 2016 is disposed of as infructuous.

[GAURI GODSE, J.]