

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**APPEAL FROM ORDER NO.250 OF 2024  
WITH  
INTERIM APPLICATION NO.7090 OF 2024  
IN  
APPEAL FROM ORDER NO.250 OF 2024**

Vilas Chalu Hodage And Another                      ...Appellants/Applicants

vs.

Hausabai Chalu Hodage And Others                      ...Respondents

....

Mr. Rupesh Shirke Padwal, for the Appellants.

Ms. Anita Murgude, for Respondent Nos. 1 and 2.

Mr. Santosh Jagtap, for Respondent No.3.

....

**CORAM : R.N. LADDHA, J.**

**DATE : 27 MARCH 2024**

**P.C. :**

.                      Learned Counsel for respondent nos. 1 and 2, on instructions, makes a statement that the respondents will not create third party interest till the conclusion of the suit pending before the trial court.

2.                      In view of this, learned Counsel for the appellants seeks leave to withdraw this appeal.

3. Leave granted as prayed for.
4. Taking into consideration the peculiar facts of the case and the fact that respondent no.1 is a senior citizen, the trial court is requested to expedite the hearing of the matter.
5. It is made clear that this Court has not examined the merits of the matter and all contentions of the parties are left open.

(R.N. LADDHA, J.)