



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
SECOND APPEAL NO. (ST.) NO.26545 OF 2021**

Nagar Parishad Parli Vaijanath Thro. Chief Officer,
Nagar Parishad Parli.

VERSUS

Somnath Gurushidappa Chaudhari Died Lrs. Shalan Somnath
Chaudhari And Ors.

**WITH
CIVIL APPLICATION NO. 943 OF 2022
IN
CIVIL APPLICATION NO. 944 OF 2022**

...

Mr. V. V. Bhavthankar, Advocate for Appellant.

Adv. M. A. Kulkarni, Advocate for Respondent Nos. 1/1, 1/2
and 1/4

.....

CORAM : S. G. CHAPALGAONKAR, J.

Dated : 14th FEBRUARY, 2025

PER COURT :-

1. Heard Mr. Bhavthankar, learned Advocate appearing for
the appellant.

2. He submits that under the impugned decree, the
appellant is restrained from making construction of road,
except in accordance with law.

3. Mr. Bhavthankar submits that now, the Municipal
Council has initiated proceeding for acquisition of land of the
plaintiffs which may be affected by expansion of road.

4. In that view of the matter, Municipal Council do not wish to proceed with the appeal. Mr. Bhavthankar placed on record written communication received from the Municipal Council, Parli Vaijanath, which is taken on record and marked as Exhibit "X" for identification.

5. Accordingly, he seeks permission to withdraw the Second Appeal.

6. In result, the Second Appeal is permitted to be withdrawn

7. Consequently, Second Appeal stands dismissed.

8. In view of dismissal of Second Appeal, nothing survive in Civil Applications and same are accordingly **disposed of**.

(S. G. CHAPALGAONKAR, J.)