

IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 94 OF 2008

SMT. APARNA NAIK ALIAS SEJAL
SANDIP NAIK AND ANR.,

... Appellants

Versus

M/S SAIRAJ DEVELOPERS AND 79 ORS.,

... Respondents

Mr. Arun Bras De Sa, Advocate for the Appellants.

Coram:- N. A. BRITTO, J.

Date:- 31st January, 2009

P.C.:-

Heard.

Mr. Arun Bras De Sa, learned Counsel on behalf of the Appellants states that the properties surveyed under nos.172/1 and 172/2 did not form part of the estate partitioned in the inventory proceedings. He further submits that the said survey numbers were not mentioned in the plaint and as such at present an application has been filed for amendment that after the amendment is carried out, the Appellants will re-agitate the said issue.

In the circumstances, learned Counsel on behalf of the Appellants seeks leave to withdraw the present appeal. Leave granted.

Appeal dismissed as withdrawn with liberty as permissible in law.

N. A. BRITTO, J.

RD.