

MHRG010010822024



M.C.A./13/2024

Narendra Shankar Borkar
Vs.
Avinash Pandurang Borkar

COMMON ORDER BELOW EXHIBIT 23 & 1

The original defendant No.2/2 – Narendra Shankar Borkar has filed this M.C.A.No.13/2024 against the order passed below Exh.5 dated 13.07.2024 in the R.C.S.No.150/2021.

2. Today he is present alongwith verified copy of his adhar card at Exh.24. No dispute about his identity. Verified him on oath. He testifies for full and final unconditional withdrawal of this appeal and as per list Exh.27 the R.C.S.No.150/2021 itself is disposed off fully and finally as withdrawn by the original plaintiff as settled out of the Court and elaborate order of the Ld. 3rd Jt.C.J.S.D. Alibag dated 27.02.2026. Hence and for the reason that appeal is continuation of suit and when suit itself stands withdrawn, the appeal becomes infructuous hence there is no purpose in continuing appeal more so when vide the joint pursis Exh.23 the respondents -

- 1 & 2 through their Ld. counsel Mr. Madan Govari.
- 3 & 4 through their Ld. Counsel Mr. Amar Gharat.
- 5 & 7 to 9 through their Ld. Counsel Smt. Janhavi Kawale.
- 11, 12, 14 & 15 through their Ld. Counsel Smt. Anagha Turkar

have filed their “no objection” for withdrawal of this appeal and

have relinquished the claim of the costs. Respondent No.10 is not yet served hence no question of obtaining say or hearing respondent No.10 on costs. Similarly respondent No.6 Seema Subhash Shahabajkar and respondent No.13 Manisha Krishna Borkar are reported dead but no death certificate etc. received and before this withdrawal is claimed. Hence no impediment for allowing withdrawal of this appeal as it is merely technical issue when the main original suit R.C.S.No.150/2021 itself stands fully & finally withdrawn on 27.02.2026 qua settlement by parties outside the Court. Hence this pursis Exh.23 R & R and given effect to below Exh.1. Hence order infra.

ORDER

1.	This M.C.A.No.13/2024 hereby stands fully and finally withdrawn and disposed off.
2.	Parties to bear their own costs.
3.	Proceeding closed. Stamps be punched. Case papers be filed. Record be consigned to the record room.
4.	This order be read below Exh.1.

Alibag,
Dt.: 18/03/2026

(Smt. Sunita Tiwari)
District Judge-2, Alibag-Raigad.