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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3402 OF 2015

Shevantabai Namdeo Shinde

PETITIONER

VERSUS

Indubai Vithal Ghodke & others

RESPONDENTS

.....
Mr. Sandip Swami h/f Mr. V. D. Gunale, Advocate for petitioner
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 24th AUGUST, 2015

ORDER :

1. The petitioner purports to challenge order dated 9th September, 2014 whereunder application Exhibit-33 of the petitioner, who was shown to be plaintiff No.3 in Regular Civil Suit No. 59 of 2013 pending before civil judge, junior division, Omerga, came to be rejected.

2. According to learned advocate for the petitioner, she never intended to institute suit of the nature as instituted by plaintiffs No.1 and 2 and thumb impressions on the documents, which have been recorded at Exhibit-33 were not her and as such, under the application she requested that the same be subjected to examination by hand writing expert. On this application the

court had passed an order that the applicant has two options open, one is to continue with the suit or to apply for deletion and the applicant can choose one of them and as such, the court rejected the application, further observing that if the applicant fails to intimate further, necessary orders would follow.

3. Subsequently, it appears that plaintiffs No.1 and 2 filed application Exhibit-36 and requested to delete name of plaintiff No.3. On that application, on 24th November, 2014, an order came to be passed granting leave to delete plaintiff No.3. Accordingly, petitioner's name stands deleted from 24th November, 2014. No further proceedings are preferred by the petitioner against said order.

4. In view of the same, purpose underlying Exhibit-33 stands worked out. No orders are required to be passed in the writ petition. Writ petition, as such, stands disposed of.

[SUNIL P. DESHMUKH, J.]