

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO. 4552 OF 2014

Balasaheb Baburao Thube and another ... Petitioners

Versus

Ramrao Krishnrao Palshikar and another ... Respondents

Mr. D. R. Markad, Advocate h/f Mr. R. K. Temkar, Advocate for
petitioner

Mr. A. N. Nagargoje, Advocate for respondent No.1

CORAM : SUNIL P. DESHMUKH, J.

DATE : FEBRUARY 6, 2015

ORDER

1. It is being pointed out by Mr. Nagargoje, learned advocate for respondent No.1 that on 03-02-2015, the matter had appeared on board before this court in await service category and while it was called out, he had submitted that matter had been rendered infructuous. However, as Mr. Temkar, learned advocate for petitioners was not available, advocate Mr. Nagargoje was directed to intimate him that the matter would be taken on Friday i.e today.

2. Today, Mr. Markad learned advocate appears on behalf of learned advocate Mr. Temkar for petitioners.

3. Learned advocate Mr. Nagargoje tenders across a photo copy of decision dated 29-09-2014 in Regular Civil Suit No.279 of 2011 whereunder the suit of the plaintiffs-present petitioners has been dismissed.

4. The present writ petition has been filed for an interim injunction in said suit. The trial court had allowed application for injunction, however, in Miscellaneous Civil Appeal No. 119 of 2011, the same had been set aside by the district court, Aurangabad under order dated 23-08-2013. Against said order in Miscellaneous Civil Appeal No. 119 of 2011, present writ petition has been filed.

5. In view of dismissal of the suit, nothing survives in the present writ petition and the same stands disposed of as infructuous.

SUNIL P. DESHMUKH, J.

pnd