

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 11725 OF 2014
WITH
WRIT PETITION NO. 7081 OF 2009**

DEEPAK WAMANRAO BALSETWAR

V/S

SHYONA PULP CONVERSION MILLS PVT. LTD.,
AURANGABAD.

.....

Mr. N.G.Kale, Advocate for Applicant.

Mr. A.P.Bhandari, Advocate for Petitioner in W.P.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 20th FEBRUARY, 2015

.....

PER COURT :

1. The present application is moved by the original respondent No. 1 in the Writ Petition, who is the original plaintiff for early hearing.

2. After hearing the parties, it is clear that the Writ Petition itself can be disposed of. According to both the learned counsel appearing on behalf of original plaintiff as

well as original respondent, who has suffered money decree in Spl. Civil Suit No. 24/2002 on 22/01/2009, has already filed proceedings before the Board for Industrial Financial Reconstruction at New Delhi and according to the learned counsel for the original plaintiff, no Appeal is filed challenging the said order. Therefore, both the learned counsel submit that the present Writ Petition itself is rendered infructuous.

3. Their statement is accepted. The present Writ Petition is disposed of as infructuous.

4. In that view of the matter, the present Civil Application is also disposed of. Needless to mention, this Court has not decided anything on merit or demerit of the matter.

[V.M.DESHPANDE, J.]