

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.4301 OF 2012

Tussor Machine Tools India Pvt. Ltd.

Through its Director

Ganesh Parthsarathi

: Petitioner.

Versus

Fine Handling and Automation

Through Proprietor

Nilesh jayant Karandikar

: Respondent.

Mr. Tejas Dande for the Petitioner.

None for the Respondent.

CORAM : R. M. SAVANT, J.

DATE : 12th January 2015

P.C.

1 The above Petition is filed at the instance of the original Defendant. The learned counsel for the petitioner states that the suit has been dismissed for non-prosecution. In view of the dismissal of the suit in question for non-prosecution, the cause for filing the above Writ Petition challenging an interlocutory order does not survive. However, the learned counsel for the Petitioner seeks liberty to renew the challenge in the event the suit is restored to file. Hence with liberty as prayed for the above Petition is disposed of as having turned infructuous.

[R.M.SAVANT, J]