

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1820 OF 2014
IN
WRIT PETITION NO. 3635 OF 2014**

Varsha Sitaram Jadhav	..Applicant
Vs.	
Vilas Ganpat Mane & Ors.	..Respondents

Mr. Anand Mishra i/b Mr. A. M. Saraogi for the Applicant
Mrs. Uma Palsuledesai for the Respondent Nos.1 to 7

CORAM : R. M. SAVANT, J.
DATE : 6th FEBRUARY, 2015

P.C.

1 The above Civil Application has been filed for restoration of the above Writ Petition which has stood dismissed for non prosecution on 25-4-2014. The Learned Counsel appearing on behalf of the Respondent Nos.1 to 7 states that the Suit in question being Regular Civil Suit No.160 of 2005 filed by the Applicant has been dismissed by the Trial Court by Judgment and order dated 10-10-2014, the Learned Counsel for the Respondent Nos.1 to 7 states that in view thereof even if the Petition is restored, the same is turned infructuous in view of the decree of dismissal passed in the Suit. Having regard to the fact that the Suit has already been disposed of there is no necessity to entertain the above Civil Application for restoration of the above Writ Petition which is filed challenging an interlocutory order passed in the Suit. The Civil Application is accordingly disposed of as having turned infructuous.

2 The Applicant would be at liberty to challenge the decree passed in the Suit by filing appropriate proceedings if not already filed. The Judgment and Order and the Decree both dated 10-10-2014 are taken on record and marked as “X” and “Y” for identification.

[R.M.SAVANT, J]