

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

WRIT PETITION NO. 6273 OF 2006

Baburao Jagannath Shinde and ..Petitioners
Ors

Vs

Tukaram Chandru Shinde and
Ors .. Respondents

Mr.Prashant P. Jadhav, Advocate for Petitioners.

CORAM : R.G.KETKAR,J.
DATE : 16/06/2015

PC:

1. Heard Mr.Prashant Jadhav, learned counsel for the petitioners.
2. By this Petition, original plaintiffs have challenged the Judgment and order dated 3.1.2006 passed by the learned Civil Judge, Junior Division, Vita, below Exhibit 5 in R.C.S. No. 234 of 2005 as also the Judgment and order dated 31.7.2006 passed by the learned 2nd Ad-hoc District Judge, Sangli in Misc. Civil Appeal No.10 of 2006. By these orders, the Courts below dismissed the application filed by the petitioners for injunction against the defendants.
3. Mr. Jadhav submitted that during the pendency of the suit, the learned trial Judge has disposed of R.C.S.No.234 of 2005 on 16.8.2013. He, therefore, submitted that since the main suit itself

is disposed of, this petition is rendered infructuous and may be disposed of as such.

4. Having regard to the fact that the Petition challenges interlocutory orders pending the suit and the main suit is disposed of on 16.8.2013, nothing survives in this Petition and the same is disposed of as infructuous. Rule is discharged. In the circumstances of the case, there shall be no order as to costs.

(R.G.KETKAR, J.)