

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

WRIT PETITION NO. 1671 OF 2014

Purshottam Sudarshan Dantala

... Petitioner

v/s

M/s.Lodha Home Developers Pvt. Ltd.

... Respondent

Mr.Yogesh Rane i/by Nikhil Rajeshirke for the petitioner.

Ms.Shivali Khodke i/by R.R. Mishra for the Resp. No.1.

Mr.A.R. Metkari, A.G.P. for the Resp. No.2.

CORAM: NITIN M. JAMDAR, J.

DATED : 1ST APRIL, 2015

ORAL ORDER:

Heard learned counsel for the parties.

2. By this petition, the petitioner challenges the order passed by the learned Small Causes Court, Mumbai, dated 26 July 2013 and the order passed by the Appellate Bench of the Small Causes Court, Mumbai, dated 30 September 2013, directing the appointment of the Court Commissioner and restraining the petitioner from carrying out further additions and alterations of permanent nature.

3. Learned counsel for the parties state that, during the

pendency of this petition, the petitioner has given inspection to the respondents/plaintiffs. They state that, in view of this position, the direction to have inspection through the Court Commissioner is no longer necessary. Therefore, as regard the challenge to the appointment of the Court Commissioner has become infructuous.

4. As regard the direction to the petitioner not to carry out the additions and alterations of permanent nature till the decision of the suit, the learned counsel for the petitioner states that the petitioner has no intention. The same is maintained.

5. The writ petition is disposed of in above terms.

(NITIN M. JAMDAR, J.)