

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL No. 363 OF 2015
IN
NOTICE OF MOTION No. 880 OF 2010
IN
SUIT No. 2234 OF 2007
WITH
NOTICE OF MOTION No. 849 OF 2015

Firoze Jainuddin Mantri ... Appellant
(Applicant in NMA 849/2015)

Vs.

Zarina w/o Ahmed Izzat
Mohammed Hashim Dada & Ors. ... Respondents

WITH
APPEAL (L) No. 638 OF 2014
IN
NOTICE OF MOTION No. 880 OF 2010
IN
SUIT No. 2234 OF 2007
WITH
NOTICE OF MOTION (L) No. 2341 OF 2014

Zarina w/o Ahmed Izzat
Mohammed Hashim Dada & Ors. ... Appellant
Vs.
Firoze Jainuddin Mantri ... Respondent

Mr. Kingshuk Banerjee i/b Wadia & Ghandy & Co. for the Appellant
in APPL 638/2014 and for Respondent in APP 363/2015.

Col. A. Y. Kadam (Retd.), for the Respondent in APPL. 638/2015 and
Appellant in APP. 363/2015.

CORAM : V. M. KANADE, &
REVATI MOHITE-DERE, JJ.

DATE : DECEMBER 21, 2015

PC.

1. We are informed that the order impugned in both the appeals do not survive since the suit has been restored to the file. Hence, both the appeals challenging the order passed in the Notice of Motion No. 880/2010 have become infructuous. Hence, both the appeals viz. Appeal No. 363/2015 and Appeal (L) No. 638/2014 are disposed of as such.

2. In view of disposal of both the appeals, notices of motions taken out in the respective appeals, viz. Notice of Motion No. 849/2015 and Notice of Motion (L) No. 2341/2014 do not survive, and are accordingly disposed of.

Sd/-
[REVATI MOHITE-DERE, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath