

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6805 OF 2007

RAMESH SAMPAT GONDKAR AND ANR
VERSUS
TARABAI DEORAM KOLI AND ORS

...
Advocate for Petitioners : Mr. P.S. Dighe, Adv. h/f. Mr. A C Darandale
AGP for Respondents: Mr. N.B. Patil.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 12TH JULY , 2016.

PER COURT:

1] Mr. Dighe, learned counsel for petitioner submits that the petitioner could not take steps to bring on record the LRS of deceased respondent No.1. Even tribe claim of the deceased respondent No.1 is already invalidated. Prayer (B), as such, does not survive. As far as prayer clause (C) is concerned, petitioner is challenging the proceedings. Even otherwise, petitioner can bring this fact of tribe claim of respondent No.1 being invalidated before the respondents in the said proceedings, as LRs of respondent No.1 are not brought on record in this petition.

2] Writ petition, as such stands abated. Rule is discharged.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-