

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 WRIT PETITION NO. 10633 OF 2015

MARTHABAI PETRAS LALZARE DIED THROUGH LRS RAJENDRA PETRUS
LALZARE AND OTHERS
VERSUS
RAJENDRA MADANLAL BAGDI AND ANOTHERS

...
Advocate for Petitioners : Mr. A.B.Chalak H/f. Mr. S.B.Talekar

...
CORAM : P.R. BORA, J.
Dated: January 18, 2016
...

PER COURT :-

1) The learned Counsel appearing for the petitioners, on instructions, submits that, Regular Civil Suit No.251/1994 has been dismissed by the trial Court. Learned Counsel further submits that, the petitioners have preferred an appeal in the District Court against the judgment and order passed in the said Civil Suit. In the present petition, the petitioners have challenged the decision of the Trial Court of exhibiting the document of sale deed produced on record by the defendant along with his affidavit of examination in chief. The learned Trial Court had exhibited the said document, keeping the option of plaintiff open, to raise the objection regarding the admissibility of the said document in the final arguments.

2) In view of the fact that, aforesaid Civil Suit has been finally decided by the Trial Court, the present petition has become infructuous, and same stands dismissed as infructuous.

(P.R. BORA, J.)
...