

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

**APPEAL FROM ORDER NO. 331 OF 2013  
WITH  
CIVIL APPLICATION NO. 545 OF 2013**

Nandkumar Namdeo Tupe & ors.

... Appellants  
(Ori.Plaintiffs)

**vs.**

M/s. Kumar Properties & Real Estate Pvt.  
Ltd. & ors.

... Respondents  
(Ori.Defendants)

Mr. S. M. Gorwadkar, Senior Advocate i/by Mr. Sujay H. Gangal,  
Advocate for the appellants.

Ms. Chery Fernandes a/w Chandansingh Shekhawat i/by ALMT  
Legal, Advocate for the respondents.

**Coram** : Smt. R. P. SondurBaldota, J.

**Date** : 15<sup>th</sup> March, 2016.

**P. C. :**

1. In view of the statement made on behalf of respondents No.1 and 2 on 21<sup>st</sup> September, 2015 that by the order dated 16<sup>th</sup> December, 2013, the Collector, Pune has exempted two plots, in question, from acquisition, Mr. Gorwadkar, the learned Senior Advocate for the appellants concedes that nothing survives in the present appeal from order. The Appeal From Order is, therefore, disposed off accordingly.

2. In view of disposal of the Appeal From Order, Civil Application No. 545 of 2013 does not survive. The same is, accordingly, disposed off.

**[Smt. R. P. SondurBaldota, J.]**