

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10105 OF 2014

Keshavji Dwarkadas Kapadia and anr. : Petitioners.

Versus

Jamnadas Purshottam Kapadia and ors. : Respondents.

Mr. R S Patil for the Petitioners.

Mr. R G Jagtap i/by Jagtap and Jagtap for the Respondent No.1.

CORAM : R. M. SAVANT, J.

DATE : 11th February 2016

P.C.

1 In view of the observations made in paragraph
2 of the order dated 12/01/2016 by the Appellate Bench
of the Small Causes Court which has been passed on
the Application (Exhibit 35) pursuant to the order
dated 07/01/2016 passed by this Court the above
Petition has turned infructuous. The above Petition
is accordingly disposed of as having been turned
infructuous. However, it would be open for the
Petitioners to file appropriate proceedings for
recovery of the amount of compensation till
withdrawal of the Appeal in question. If any such
proceedings are filed, needless to state that the same
would be tried on their own merits and in accordance

with law expeditiously.

[R.M.SAVANT, J]