

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 337 OF 1997

Deepak s/o Uttamrao Bagle

..... APPELLANT

V E R S U S

The Nanded Waghala City
Municipal Corporation, Nanded

..... RESPONDENT

.....

Mr. R.J.Godbole, Advocate for Appellant.
Smt. Sunita D.Shelke h/f Mr. D.R.Shelke,
Advocate for R - 1.

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CORAM : SUNIL P. DESHMUKH, J.

DATE : 8th FEBRUARY, 2017

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ORDER :

1. Heard learned counsel for the parties.
2. Parties are *ad-idem* that subject matter of dispute and the process under litigation has been rendered infructuous in view of the further developments taking place during the pendency of this Second Appeal. It is

stated that during pendency of litigation permission had been granted for construction over disputed property. Learned counsel for the parties tender across certified copies of the permission and the map, which, according to them, pertain to the disputed property. The same are marked 'X', 'X-1' and 'X-2' respectively for identification.

3. As such, learned counsel for parties submit that any prosecution further is redundant, as the Second Appeal is considered to be reduced to an otiose proceeding by the parties.

4. Second Appeal stands disposed of accordingly.

[SUNIL P. DESHMUKH, J.]