

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

917 CIVIL APPLICATION NO. 10406 OF 2017
IN WP/3797/2017

MAHSUL KARMACHARI GRAH NIRMAN SAHKARI SAHBHAGIDARI
SANSTHA LTD. PARBHANI THR. A.D

VERSUS

RAJESWAR @ RAJU ANANDRAO DESHMUKH AND OTHERS

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Advocate for Applicant : Mr. G. A. Borikar (party in-person)

Advocate for Respondent No.1 : Mr. M. P. Kale.

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CORAM : **V. K. JADHAV, J.**

DATE : 24th November, 2017.

ORDER:

. Heard the party in-person.

2 Writ Petition No.3797 of 2017 is pending. The party in-person has challenged the order passed by the Trial Court below Exhibit 125. During the pendency of the writ petition, the learned Second Joint Civil Judge Junior Division, Parbhani, by judgment and decree dated 7th April, 2017, dismissed Regular Civil Suit No.456 of 2001. By filing Civil Application No.10406 of 2017, the party in-person now requested this Court to set aside the judgment and decree passed in Regular Civil Suit No.456 of 2001 as aforesaid.

3 It appears that the cause for filing the writ petition has been rendered infructuous because the Trial Court has already dismissed the suit. The party in-person is at liberty to file an appeal against the judgment and decree passed by the Trial Court. However, in the pending writ petition, the judgment and decree passed by the Trial Court, cannot be set aside. The writ petition is disposed of as infructuous. The civil application is also disposed of accordingly.

[V. K. JADHAV, J.]

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