

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2102 OF 2017
IN
FIRST APPEAL NO.318 OF 2003

The Principal,
Willingdon College,
Sangli & Anr.

....Applicants/Appellants

V/s.

The State of Maharashtra & Ors.

....Respondents

Mr. R.M.Pethe, Advocate for Applicants/Appellants.

Mr. A.R.Patil, AGP for the Respondent-State.

**CORAM :- R.M.SAVANT &
SANDEEP K. SHINDE, JJ.**

DATE :- 14TH DECEMBER, 2017.

PC. :-

At the hearing of the above Civil Application, the learned counsel appearing for the Applicants/Appellants, Shri Pethe makes a request that the Appeal itself be taken up for hearing after ensuing Christmas Vacation.

2 The reliefs sought in the above Civil Application have been transcended on account of certain events which have taken place post the decree in-as-much as a building has been constructed by the Maharashtra Industrial Development Corporation (MIDC) in

which building, premises, according to the learned counsel for the Applicants/Appellants, has been let out to various parties. It is the contention of the learned counsel for the Applicants/Appellants that in the event, Applicants/Appellants succeed in the First Appeal then land on which the building is constructed would come to the Applicants/Appellants. In our view, since post the decree, certain events have transpired in respect of which the clock cannot be turned back, it would be just and proper to hear the Appeal itself. Hence, without going into the merits of the reliefs sought by way of above Civil Application but by fixing a date for the hearing of the above Appeal, we dispose of the above Civil Application. Appeal to be listed for final hearing in the week commencing from 22.1.2018. To be shown '**High on Board**' in the matters of the year 2003. The learned counsel for the Applicants/Appellants to file private paper-book one week prior to the said date.

(SANDEEP K. SHINDE, J.)

(R.M.SAVANT, J.)