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

WRIT PETITION NO. 7545 OF 2017

Vas Infrastructure Limited	...	Petitioner
V/s.		
Darshan Mandir Co-operative Housing Society Limited & Ors.	...	Respondents

Mr.Nikhil Karnawat a/w. Ms.Sneha Patil i/b.
Maniar Srivastava Associates for Petitioner.
Mr. Sanjiv A. Sawant a/w. Mr. Abhishek P.
Deshmukh for Respondent No.1.
Mr.Vinod Mahadik for Respondent No.4.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 13th DECEMBER, 2017.

P.C. :

1] Heard learned counsel for the petitioner and learned counsel for the respondents.

2] It is submitted by learned counsel for respondent No.1 that the writ petition challenges the order dated 5th May, 2017, passed by the City Civil Court, Dindoshi in M.C.A. No.1425 of 2011 thereby allowing the Chamber Summons No.811 of 2012, directing the plaintiff to carry out amendment. It is submitted that accordingly, respondent No.1 plaintiff has carried out amendment in the plaint immediately thereafter. This writ petition is filed in June, 2017 i.e.

after the amendment is being carried out. In such situation, writ petition having become infructuous, this Court need not delve into this petition.

3] The only submission advanced by learned counsel for petitioner is that the amendment should be treated as not to relate back to the suit, but only from the date of application. However, this contention at this stage cannot be considered.

4] The writ petition therefore, stands dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]