

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2262 OF 2016
IN
APPEAL (L) NO.530 OF 2015**

Usha Ramrao Bhojane

..Applicant

Vs.

Mangala Shivdas Dindokar & Ors

..Respondents

None for the Applicant

Mr. N. R. Modi i/b M/s Rustomji & Ginwala for the Respondent Nos.5, 6 and 7

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL, JJ
DATE : 6th NOVEMBER, 2017**

P.C.

1 The Learned Counsel appearing for the Respondent Nos.5, 6 and 7 states that a copy of the above Appeal and the Notice of Motion has not been served upon him. However, he draws this courts attention to the fact that the Suit in question being Suit No.824 of 2014 has been disposed of by upholding the preliminary objection under Order 7 Rule 11(d) of the Civil Procedure Code. In view thereof, the above Appeal challenging an interlocutory order passed in Notice of Motion No.1415 of 2014 would not survive. The Appeal is accordingly disposed of as having turned infructuous.

2 In view of the disposal of the above Appeal, the Notice of Motion No.2262 of 2016 does not survive and to accordingly stand disposed of.

3 Photocopy of the order dated 23-6-2017 is taken on record and marked as “X” for identification.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]