

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6927 OF 2014

(Nitin s/o Bhiva Dharamsare and another
vs.

Kranti, through her Mother & Natural Guardian, Kalpana Haribhau Kamble)

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

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Shri G.L. Bajaj, Advocate for the Petitioners.
Shri Shashikant Borkar, Advocate for the Respondent sole.

CORAM : KUM. INDIRA JAIN, J.
DATE : 12th JULY, 2017.

Learned Counsel for petitioners seeks one week's time. Request is strongly objected by learned Counsel for respondent. Perused order dated 28/06/2017.

Challenge in petition is to the order dated 15/11/2014 passed below Exh.9 in R.C.A. No.17/2014. Learned Counsel for respondent submitted on the previous date that R.C.A. No.17/2014 has been dismissed and writ petition has become infructuous, as the same is arising out of interim order passed below Exh.9.

Record indicates that sufficient time was granted to learned Counsel for petitioners to verify the same. Certified copy of order in R.C.A. No.17/2014, dated 11/01/2017 is placed on record by learned

Counsel for respondent. The same is marked as "X" for the purpose of identification. The order clearly indicates that appeal has been dismissed in default for want of prosecution.

In this situation, writ petition, being preferred against the interim order passed in R.C.A. No.17/2014, has become infructuous.

Writ petition, being infructuous, stands disposed of. No costs.

Civil Application [CAW] No.2102/2016 :

In consequence to disposal of writ petition, civil application stands disposed of. No costs.

Civil Application [CAW] No.2286/2016 :

Learned Counsel for petitioners seeks permission to withdraw civil application with liberty to raise the contentions before the Executing Court.

Civil application, being withdrawn, stands disposed of with liberty, as prayed for. No costs.

JUDGE

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