

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3380 OF 2017

**RAMESH GANPATRAO MISKIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for the Petitioners : Shri R. R. Karpe
AGP for Respondent Nos. 1 and 2 : Shri S.K.Tambe
Advocate for Respondent No.3 : Shri A.M. Gholap
Advocate for Respondent Nos. 4-A to 4-D, 4-F : Shri L.B.Palod.

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 03rd JULY, 2018.**

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PER COURT :

1. Learned advocates for the respective sides submit that in view of the amendment dated 26/06/2018, by which, Section 9A of the Code of Civil Procedure (Maharashtra Amendment) has been deleted, this petition can be disposed off by modifying the impugned order.

2. In view of the above, this petition is disposed off. The impugned order dated 19/10/2016 stands set aside and application Exhibit 26 stands disposed off.

3. Needless to state, while framing the issues in the matter, if not already framed, if any jurisdiction issue is to be framed, the Trial Court would consider the same in view of the Order 14 Rule 2 of the Code of Civil Procedure and all issues would then be dealt with together while deciding the suit.

4. All contentions of the litigating sides are kept open.

(RAVINDRA V. GHUGE, J.)

shp/-