

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

WRIT PETITION NO. 1698 OF 2018

Narayan S/o Keshav Barhate ... Petitioner

VERSUS

Mauli Constructions, through Partner ... Respondent

.....
Mr Bipinchandra Keshav Patil, Advocate for the petitioner
Counsel for the respondent absent.
.....

**CORAM : MANISH PITALE, J.
DATE : 03RD SEPTEMBER, 2018.**

PER COURT :-

1. Mr Bipinchandra K. Patil, learned counsel for the petitioner submits that, the present writ petition arises out of the order passed below Exh. 154 by the trial Court concerning the question of grant of temporary injunction in a suit filed by the petitioner. The application was allowed by the trial court but the appeal filed against the same stood allowed, as a result of which the petitioner is constrained to approach this Court by filing the present writ petition.

2. The contesting respondent appeared on caveat and on the last date i.e. 12.12.2017, a statement was made on behalf of the said

respondent that he would not create third party interest in the suit property during the pendency of the suit.

3. Mr Patil then submits that the suit has been decreed by the trial Court and therefore, the question raised in the present writ petition does not survive.

4. In the light of the above, the present writ petition is disposed of as having become infructuous.

[MANISH PITALE]
JUDGE

Punde