

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

**38 WRIT PETITION NO. 2426 OF 2016**

SAVITA SOMNATH PATIL

..PETITIONER

VERSUS

VIJAYABAI VYANKATAYYA KOTAGIRI AND ORS   ..RESPONDENTS

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Mr. Manoj U. Shelke, Advocate for Petitioner.

Mr. Jagiasi Shyamsunder, Advocate for Respondent No.3.

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**CORAM : SUNIL P. DESHMUKH, J.**

**DATE : 23<sup>rd</sup> July, 2018**

**PER COURT**

.           Learned counsel for respondent no.3 tenders a photocopy of the order dated 01/02/2016 where under, the suit stands dismissed in default.

2.           In view of the same, nothing survives in the writ petition to be considered at this point of moment. The learned counsel for the petitioner requests for avenue may be kept open for re-adjudication of the matter if, the suit is restored. The request appears to be legitimate and reasonable and as such in such a case, it is open for the petitioner to take up appropriate

recourse upon restoration of the suit and agitate against order impugned, if those are considered to have revived.

3. In view of the aforesaid, writ petition stands disposed of.

**[SUNIL P. DESHMUKH]**  
**JUDGE**

Mujaheed