

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

922 CIVIL APPLICATION NO.14888/2016

IN AOST/34822/2016

WITH

CA/14889/2016 IN AOST/34822/2016 WITH CA/3563/2017 IN
AOST/34822/2016

DEEPAK S/O TANAJI JAGTAP AND OTHERS

VERSUS

YURAJ S/O.SIDRAMAPPA BIRAJDAR AND OTHERS

...

Advocate for Applicants : Mr.S.S.Choudhary

Advocate for Respondent Nos.1, 2-1A, 2-1C, 2-1D 2-1E :
Mr.K.K.Kulkarni

...

CORAM : M.S.SONAK, J.

DATE : 23.1.2018

PER COURT:-

1) Heard Mr.S.S.Choudhary learned counsel for the applicants and Mr.K.K.Kulkarni learned counsel for respondent Nos.1, 2-1A, 2-1C, 2-1D 2-1E

2) This is an application seeking leave to file appeal against the Judgment and order dated 6.10.2016 in Regular Civil Appeal No.72 of 2014 made by District Judge-2,

Osmanabad. This application is taken out because the applicants were neither a party before the Trial Court nor before the Appeal Court.

3) Today, in Appeal from Order No.7 of 2017 instituted by the original plaintiff/appellant in this Court, the Judgment and order dated 6.10.2016 has already been set aside. Accordingly, there remains nothing further for the applicants in this application to appeal against.

4) In the above circumstance, the Civil Application No.14888 of 2016 is dismissed.

5) The Civil Application Nos.14889 of 2016 and 3563 of 2017 do not survive and are disposed of.

[M.S.SONAK, J.]