

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

WRIT PETITION NO. 790 of 2017

Gangadhar S/o Fakira Landge
age 65 yers occupation agriculture
R/o Pimpalgaon Landga Taluka and District Ahmednagar
...Petitioner

VERSUS

1. Sau. Tarabai Bapu Nimse
age 67 years occupation agriculture
R/o R/o Pimpalgaon Landga Taluka and District Ahmednagar
2. Sau. Shevanta Nana Shinde,
age 63 years occupation agriculture
R/o Arangaon Taluka and District Ahmednagar
...Respondents

*Mr Ajeet B. Kale, Advocate for petitioner.
Mr Girish K. Thigale, Advocate for respondents*

CORAM : SUNIL P. DESHMUKH, J.

DATE : 23rd August, 2018

ORDER :

1. Heard learned counsel for parties.
2. Perused order dated 16th August, 2018 where-under this court had almost concluded the matter. However, as per the request matter had been adjourned.
3. Learned counsel Mr Kale appearing for petitioner submits that observations made in order dated 16th August, 2018

should not be deemed to wipe out resort to other remedies for petitioner as may be available under the procedural law, particularly, Order XIV, Rule 2 of the Civil Procedure Code.

4. Needless to refer to that observations under order dated 16th August, 2018 are with reference to promulgation of the Ordinance dated 29th June, 2018 in respect of taking off section 9-A of Maharashtra Amendment from the Civil Procedure Code. As such, having regard to observations, the observations are unlikely to affect other remedies as are deemed to be available and/or as would be open for the parties.

5. In view of aforesaid, writ petition is disposed of accordingly.

**(SUNIL P. DESHMUKH)
JUDGE.**

Madkar