

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3901 OF 2018

Manojkumar Narendrakumar Deshpande
The Legal Representative of deceased
Shri Balkrishna Rangarao Deshpande ...Petitioner

Versus

Hemant Dattaji Naiknavare & Ors. ...Respondents

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Mr. S.G. Deshmukh, Senior Advocate a/w. Mr. N.N.Bhosale for the
Petitioner.

Mr. Jagdish G. Reddy (Aradwad) for Respondent No.1.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JULY 17, 2018**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. The petitioner is challenging the order dated 4th April, 2017 passed by the learned 9th Jt. Civil Judge, Senior Division, Pune below exhibit 238 in Special Civil Suit No. 1165 of 2016. This order was passed under Section 9A of the Code of Civil Procedure, 1908.

3. In view of the Maharashtra Ordinance No. XVIII of 2018 dated 27th June, 2018, saving clause 3 (2) and proviso thereto, this Petition abates and is disposed of as abated. If there is any other issue under Order 14 or any application under Order 7 Rule 11, the Court can proceed and decide.
4. It is made clear that pursuant to the Ordinance, if there is no enactment, then the learned Counsel for the petitioner is at liberty to move this Court for recall of this order.
5. Writ Petition is disposed of as such.

(MRIDULA BHATKAR, J.)