

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3488 OF 2018

Narayan S. Suryawanshi .. Petitioner
vs.
Dada D. Palange and ors. .. Respondents

Mr. R.S. Kadam for the Petitioner.

CORAM : M. S. SONAK, J.
DATE : 28 MARCH 2018.

P.C. :-

1] Mr. Kadam, learned counsel for the petitioner, on basis of instructions, states that Regular Civil Suit No. 180 of 1999, in which, the impugned order dismissing the petitioner's application for leave to file written statement came to be passed, has itself been dismissed on merits.

2] In view of the aforesaid, this petition does not survive and is disposed of as infructuous.

3] However, at the request Mr. Kadam, liberty is reserved to the petitioner to challenge the impugned order in any appeal which may be instituted against the decree in the suit. This is in accordance with the provisions of section 105 of the C.P.C.

4] With liberty as aforesaid, this petition is disposed of.

(M. S. SONAK, J.)