

Anand

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

WRIT PETITION NO. 4793 OF 2014

Ashfaque Shaikh Abdul Rehman .Petitioners
(since deceased) through Lrs.

Vs.

M/s. Ramkrishna Resorts Pvt. Ltd. & ors. .Respondents

Mr. Uday P. Warunjikar, Advocate, for the Petitioners
Mr. N. V. Khaladkar, Advocate, for the Respondent No. 1

CORAM : M. S. SONAK, J.

DATE : 24.11.2018

P.C.

. Mr. Warunjikar, learned counsel for the Petitioners states that in view of the observations in para 39 of the impugned Judgment & Order dated 13.01.2014, Writ Petition may not be appropriate remedy, since, according to him, a Second Appeal will lie against the Judgment & Order dated 13.01.2014.

2. In view of the aforesaid, the present Petition is dismissed with liberty to institute appropriate proceedings to question the Judgment & Order dated 13.01.2014. Further, it is

noted that this Petition was instituted in May, 2014 and was pending till date before this Court. The Writ Petition is accordingly disposed of in the aforesaid terms. However, the interim order which was in operation till date is continued for a period for four weeks from today.

(M.S.SONAK, J.)