

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.4351 OF 2006

Jaywant Ganpat Chogle	]	Petitioner
Vs.		
1. D.K. Shah and	]	
2. Mahesh K. Shah (since deceased)	]	
2(a) Poornima Mahesh Shah & Ors.	]	Respondents

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Mr. Sameer R. Bhalekar, for petitioner.
Mr. Ganesh Ambekar, for respondent No.1.

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CORAM : R.G. KETKAR, J.

DATE : 15TH JUNE, 2018.

P.C:

Heard Mr. Bhalekar, learned Counsel for the petitioner and Mr. Amberkar, learned Counsel for respondent No.1.

2. Perused the Office remark dated 23rd May, 2018. Office remark shows that respondent No.1 has expired. Civil Application (ST) No.718 of 2013 filed for bringing on record legal representatives of respondent No.1 was disposed of for non compliance of Registrar's order dated 8th July, 2013. Writ Petition stood dismissed as against respondents No.2(a) to 2(c) and 3 vide order dated 24th August, 2006.

3. Mr. Bhalekar submits that the petitioner also has expired. He further submits that Petition challenges the order dated 29th April, 2006 passed by the learned Judge of the Court of Small Causes at Mumbai in Perjury/Forgery Notice No.1463 of 2005 in R.A.E & R Suit No.1358/4799 of 1978. In view of this, he submits Petition is rendered infructuous.

4. Mr. Ambekar appears for respondent No.1 and confirms that respondent No.1 has expired.

5. In view of this, Petition is disposed of as rendered infructuous. Rule is discharged with no order as to costs.

[R.G. KETKAR, J.]