

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5941 OF 2017

Durvankur Vastu Nirmiti Pvt. Ltd.,
Satara and Anr.

.... Petitioners

V/s.

Narayan Pandharinath Pawar & Anr.

.... Respondents

Mr. Vishwanath S. Talkute for the Petitioners.

Mr. Deepak C. Natu, i/by M/s. N. Deepak & Co., for Respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 30TH JANUARY 2018.

P.C. :

1. Heard Mr. Talkute, learned counsel for the Petitioners, and Mr. Natu, learned counsel for Respondent No.1.

2. Learned counsel for the Petitioners submits that, this Petition is preferred against the order dated 1st April 2017 passed by the 5th Additional Judge, Small Causes Court, Pune, below "Exhibit-81" in Special Civil Suit No.431 of 2014.

3. Learned counsel for Respondent No.1-Plaintiff submits that, he has filed application in the Trial Court on 10th November 2017 for

withdrawal of the Suit, with liberty to file a fresh Suit. That application is yet pending before the Trial Court. He further submits that, as on today, the amendment allowed by the impugned order is not carried out and he is also not pressing that amendment.

4. In view thereof, the Writ Petition has become infructuous and, therefore, stands disposed of.

[DR. SHALINI PHANSALKAR-JOSHI, J.]