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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO.7922 OF 2017

Satish Ramchandra Sathe	..Petitioner.
V/s.	
Ranjit Construction & Ors.	..Respondents.
Mr.Shashikant B.Deshpande for the petitioner.	

CORAM: NITIN W.SAMBRE, J.

DATE : FEBRUARY 24, 2018

PC.:-

It is informed by the learned counsel for the petitioner that the First Appeal is already dismissed. He submits that the petitioner be heard on issuing directions to the respondents for furnish additional bank guarantee.

2. Once having noticed that the First Appeal of the present petitioner is already dismissed, the order impugned in the present petition by virtue of the *doctrine of merger* would merge in the Judgment of the First Appeal. As such this Court need not

examine the merits of the present proceedings.

3. With liberty to the present petitioner to raise the said issue before the Second Appellate Court, if required, the petition stands disposed of as infructuous.

(NITIN W.SAMBRE, J.)