

Digitally signed by Shubhashri Shridhar Pathak
Date: 2018.09.26 14:48:13 +0530

Laxminarayan R. Bhattad & Ors. ...Appellants
vs.
Sarojben Barot & Ors. ...Respondents

CORAM : A.S.OKA, &
M.S.SONAK, JJ.
DATE : SEPTEMBER 12, 2018

1 The learned counsel appearing for the
appellants seeks time. The appellants were not the
parties to the suit filed by the first respondent
against the second to fourth respondents. The
present appellants took out Chamber Summons No.1130
of 2015 praying that the Appellants be impleaded as
co-plaintiffs. The second prayer was for
restraining the first respondent-plaintiff from
discharging her Advocate.

2 By the impugned order, the said Chamber Summons taken out by the appellants has been dismissed. The impugned order records that the prayers (c) and (d) of the Chamber Summons were not pressed. Therefore, the only prayer pressed was for impleadment of the

appellants herein as co-plaintiffs. The learned counsel for the third and fourth respondents has placed on record a copy of the order dated 28th November 2017 passed by the learned Single Judge by which the suit has been disposed of as withdrawn.

3 In view of this order dated 28th November 2017, even if the Appeal is allowed there will not be any occasion to grant any relief as now the appellants cannot be impleaded as co-plaintiffs in the suit which is already withdrawn. Accordingly, Appeal is disposed of. We make it clear that we have made no adjudication on the rights of the contesting parties.

(M.S.SONAK,J.)

(A.S.OKA,J.)