

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3249/2014

Vimalabai Hirachand Rathod & Ors. ... Petitioners

V/s.

Nathu Tukaram Sakhare & Ors. ... Respondents

None for the Petitioner

CORAM: K.K. TATED, J.

DATED : FEBRUARY 22, 2019

P.C. :

1 None for the Petitioner. Dismissed for non prosecution.

2 Later on, Adv. Mr. Ajay A. Joshi, the learned counsel for the Petitioner has mentioned matter.

3 Considering the submissions made by the learned counsel for the Petitioner, the earlier order is recalled. The Writ Petition is restored to file for hearing on merits.

4 The learned counsel for the Petitioner submits that by this petition, they are challenging the order dated 29.11.2013 passed by the 4th Jt. Civil Judge, Junior Division, Pune below Exhibit- 31 in Regular Civil Suit No. 6262/2012 (Old S.C.Suit No.942/2010). He further submits that the Trial Court has stayed further proceedings in Regular Civil Suit No. 6262/2012 till decision of First Appeal No.804/2010. The learned counsel for the Petitioner

submits that during pendency of the Writ Petition, the First Appeal No.804/2010 itself has been decided by the appellate court. He further submits that in view of subsequent development, nothing survives in the Writ Petition.

5 Hence, the Writ Petition stands disposed of as infructuous.
No order as to costs.

(K. K. TATED, J.)