

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.200 OF 2017
IN
CIVIL REVISION APPLICATION NO.17 OF 2012
WITH
CIVIL REVISION APPLICATION NO.17 OF 2012**

Vijay Balkrishna Pusalkar and Ors. .. Applicants

In the matter between

Uday Paranjape and Ors. .. Petitioners

V/s.

Vijay Balkrishna Pusalkar and Ors. .. Respondents

Mr.N.V.Walawalkar, Senior Counsel I/b Mr.Akshay Shinde for the applicant

Mr.P.D.Pise for the applicant in CRA

Ms.Geeta P. Sonawane, A.G.P. for the respondent no.22

**CORAM: K.K. TATED, J
DATED : JANUARY 21, 2019**

P.C. :

1 Heard.

2 In the present Civil Revision Application, Applicant is challenging the order dated 5.10.2011 passed by 10th Joint Civil Judge, Junior Division Pune, below Exhibit-52 in Regular Civil Suit No. 1085 of 2011 rejecting Defendant no.17's Application

under section 9A of the Code of Civil Procedure, 1908.

3 The learned Senior Counsel for the Applicant in Civil Application submits that in view of subsequent development that deletion of section 9A from the Code of Civil Procedure, 1908 and in view of order dated 03.08.2018 passed by this court (Coram: Mrs.Mridula Bhatkar, J.) in Civil Application No.200 of 2017 in Civil Revision Application No.17 of 2012, nothing survives in the present Civil Application.

4 Considering the submissions made by the learned counsel for the Applicant and the deletion of section 9A of the Code of Civil Procedure, 1908, Civil Revision Application itself is not maintainable. Hence, following order is passed:

- a. Civil Revision Application as well as Civil Application stand disposed of as infructuous.
- b. No order as to costs.

(K.K. TATED, J.)