

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

WRIT PETITION NO.8974 OF 2016

Vandana Anand Bhalerao

.. Petitioner

V/s.

Tushar Dattatray Patil and Ors.

.. Respondents

Mr.V.V.Pai for the petitioner

Mr.B.G.Tangsali for the respondent nos.1 and 2

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

P.C. :

1 Heard.

2 Petitioner submits that in view of subsequent development that Civil Appeal No.158 of 2014 is finally decided by appellate court on 15.12.2018 and thereafter, Petitioner has filed Second Appeal (ST) No.646 of 2019, nothing survives in the present Writ Petition. Hence, he may be permitted to withdraw the present Writ Petition. To that effect, he has given in writing. Same is taken on record and marked "X" for its identification. Same is accepted.

3 Writ Petition stands disposed of as withdrawn. No order as to costs.

4 Later on advocate for the Petitioner mentioned the matter. He submits that he does not have any instructions to withdraw the present Writ Petition. Hence, matter be placed on board for hearing. Hence, earlier order is recalled and matter is taken on board for hearing on its own merits.

5 In the present proceedings, Petitioner is challenging the order dated 29.04.2016 passed by Adhoc District Judge -3, Nashik below Exhibit-4 in Civil Appeal No.158 of 2014.

6 The learned counsel for the Respondent submits that Civil Appeal No.158 of 2014 itself stands disposed of finally by the appellate court by order dated 15.12.2018. Not only that, Petitioner filed Second Appeal (ST) No.646 of 1994 before this court and same is pending for hearing.

7 Considering these subsequent developments, nothing survives in the present Writ Petition. Hence, Writ Petition stands rejected.

8 No order as to costs.

(K.K. TATED, J.)