

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

WRIT PETITION NO. 5531 OF 2006

Haribhau Raghunath Kakade	...	Petitioner
V/s.		
Deccan Education Society & Ors.	...	Respondents

Mr.Omkar Mane i/b. Mr.Uday Warunjikar for Petitioner.
Mr.A.V. Borwankar for Respondent Nos.1 and 2.

CORAM : A.S. GADKARI, J.

DATE : 30th August 2019.

PC. :

1] Mr.Borwankar, learned counsel appearing for the respondent Nos.1 and 2 submitted that, in pursuance of Order dated 21st August 2006, the concerned authority proceeded to hear the Appeal No. 69 of 2001 on merits and has decided it. He further submitted that, against the final Order passed in Appeal No. 69 of 2001, the petitioner herein had preferred separate Writ Petition bearing No.3054 of 2008. That the said Writ Petition has also been dismissed by this Court, for non prosecution by Order dated 3rd July 2019. He further submitted that, in view of the

decision of the Appeal No. 69 of 2001, the present Petition challenging interlocutory Order passed below Exhibit-60, in the said Appeal does not survive.

2] I find substance in the submissions of the learned counsel for the respondent Nos.1 and 2.

3] Writ petition is accordingly disposed off as infructuous.

[A.S. GADKARI, J.]