

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

**CIVIL APPLICATION NO.302 OF 2017
WITH
APPEAL FROM ORDER (ST) NO.35386 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.S.S.Patwardhan for the applicant

Mr.Nikhil Pawar I/b Mr.T.S.Ingale for the respondent nos.1 to 4

**CORAM : K. K. TATED, J
DATE : MARCH 22, 2019**

P.C.:

. Heard.

2. By this Civil Application, Applicant is seeking condonation of 171 days delay in filing Appeal from Order.

3 The learned counsel for the Applicant submits that by this Appeal from Order, appellant original respondent is challenging

the judgment and decree dated 29.03.2016 passed by District Judge, Sangli in Regular Civil Appeal No.236 of 2009 remanding the Regular Civil Suit No. 107 of 2003 to the Trial Court for deciding on its own merits.

4 The learned counsel for the Respondent submits that during the pendency of the present Appeal from Order, after remand, Regular Civil Suit No. 107 of 2003 is decided by Civil Judge, Junior Division Tasgaon on 21.11.2017. To that effect, he has placed on record photocopy of the judgment dated 21.11.2017. Same is taken on record and marked 'X' for identification.

5 In view of subsequent development that Suit itself is disposed of finally, nothing survives in the Civil Application as well as Appeal from Order. Hence, both stand dismissed as infructuous.

6 No order as to costs.

(K.K.TATED, J.)