

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14263 OF 2017

Sushila Shantilalji Betala (Oswal) & ors. ...Petitioners

Versus

Prakash Shivlal Oswal (Betala) & ors. ...Respondents

Mr. Rahul D. Motkari, for the Petitioners.

CORAM: N. J. JAMADAR, J.

DATED: 21st JUNE, 2019

PC:-

1. Heard Mr. Motkari, the learned Counsel for the Petitioners. Mr. Motkari submits that Regular Civil Suit No.96 of 2012 in which the Petitioners – original plaintiffs had sought the impleadment of parties as the defendants by preferring the application (Exhibit 81), which came to be rejected by the learned Civil Judge, had itself been decided by the learned Civil Judge by judgment and decree dated 18th February, 2019. It is further submitted that the Petitioners – original plaintiffs have assailed the said decree by filing an appeal before the District Court.

2. In view of the above developments, the petition has become infructuous. The petition, therefore, stands disposed of as infructuous with liberty to the Petitioners to raise the

contentions (which are raised in the instant petition) as permissible in law.

[N. J. JAMADAR, J.]