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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

**NOTICE OF MOTION NO. 849 OF 2014
IN
SUIT NO. 465 OF 2013**

Mahesh K. Bhayani & Ors.	...Applicants
In the matter between	
Dilip Diwanchand Kapoor & Ors.	...Plaintiffs
VS	
Mahesh Kantilal Bhayani & Ors.	...Defendants.

.....
Mr Keval P. Shah for the Applicants/Defendant Nos.1 to 10.
Mr S.J.Mishra a/w Ms Pushpa Tiwari I/b SRS Legal for the Plaintiffs.
Mr M.S.Bharadwaj a/w Ms S.I.Shah for Defendant No.13.
.....

**CORAM : B.P.COLABAWALLA, J.
FEBRUARY 04, 2019.**

P.C. :

This Motion has been filed asking this Court to decide whether it has jurisdiction to try and adjudicate the subject matter of the present suit. This Motion has not been disposed of and no issue under Section 9A of the Code of Civil Procedure, 1908 has been framed by this Court. Now Section 9A of the CPC has been deleted by Maharashtra Act No. LXI of 2018. This being the case, learned advocate appearing on behalf of Applicants – Defendant Nos.1 to 10, who has filed the present Motion fairly states that this Notice of Motion has become infructuous.

2 In these circumstances, the Notice of Motion is dismissed
as infructuous. No order as to costs.

(B.P.COLABAWALLA, J.)