

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.4353 OF 2019

(SHAMRAO KISAN INGOLE & ANR....VS.. HARIBHAU LODJI INGOLE. & OTH)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.K.Wankhade, Advocate for Petitioners.
Shri R.N.Ghuge, Advocate for Respondent No.1.
Ms Kalyani Deshpande, A.G.P. for Respondent Nos. 2 and 3.

CORAM : Z.A.HAQ, J.

DATED : JULY 22, 2019.

Heard.

This petition is filed on 21st June 2019 to challenge the order passed by the Additional Collector on 25th April 2019 by which the learned Additional Collector vacated the interim order granted by him on 11th March 2019.

In response to the notice issued by this Court, the respondent No.1 has put in appearance through his Advocate and has filed preliminary submissions. It is pointed out that after 25th April 2019, the Additional Collector had heard the matter on 2nd May 2019 and 13th May 2019 and the revision application is dismissed on 25th June 2019. It is pointed out that on 1st June 2019, the petitioners have filed Regular Civil Suit No. 134 of 2019 praying for decree for declaration and injunction and in the civil suit order passed by Tahsildar granting approach way in favour of the respondent No.3 is also challenged. It is pointed out that the application under Order 39 Rules 1 and 2 of the Code of Civil Procedure is also filed in the civil suit and it is pending for consideration.

In view of the subsequent events, the prayer made in this petition is rendered infructuous.

Hence, the petition is **dismissed** accordingly. In the circumstances, the parties to bear their own costs.

JUDGE

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