

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

2 WRIT PETITION NO.1205 OF 2003

BADRINARAYAN SHIVLAL BANG
VERSUS
GOPALRAO TRIMBAK SONAWANE & ORS

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Advocate for Petitioner : Mr. R.F. Totala
Advocate for Respondent No.1 : Mr. S.V.Dixit h/f Mr. V.J.Dixit
Advocate for Respondent No.2-b(i) To (vii) & 2-c : Mr.
S.S.Tathe.

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CORAM : V. K. JADHAV, J.
DATE : 17.02.2020

PER COURT :-

1. Leave to correct the prayer clause of Writ Petition No.1205 of 2003.
2. It appears from the submissions made on behalf of the petitioner that these three Writ Petitions arises out of the proceedings of Regular Civil Suit No.1 of 1971 and filing of the appeal along with application seeking condonation of delay. The Trial Court has decreed the Regular Civil Suit No.1 of 1971 by judgment and decree dated 30.12.1974 and in terms of the said, preliminary decree came to be passed. In Writ Petition

No.1205 of 2003 the learned counsel appearing for the parties accept that the order impugned in this Writ Petition came to be passed by the First Appellate Court during pendency of the Miscellaneous Civil Application No.62 of 2003 and during pendency of Writ Petition No.1205 of 2003, the First Appellate Court on 11.12.2006 dismissed the Miscellaneous Civil Application No.62 of 2003. However, this Writ Petition No.1205 of 2003 has become infructuous since the Miscellaneous Civil Application No.62 of 2003 came to be dismissed by the First Appellate Court.

3. The Writ Petition No.1205 of 2003 is accordingly disposed off.

(V. K. JADHAV, J.)

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vmk/-