

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO.1991 OF 2007

AMARSINGH NATTHUSINGH MAHALE
VERSUS
RANJANA @ SHOBHABAI AMARSING MAHALE AND ORS

...
None present for the petitioner
Advocate for Respondent Nos.3 to 5: Mr. Manish N. Navandar
...

CORAM : V. K. JADHAV, J.
DATED : 14th February, 2020

PER COURT :-

1. None present for the petitioner. Learned counsel for Respondent Nos.3 to 5 is present.
2. On 09.08.2007, this Court has passed the order to the effect that the ad-interim relief, if any, already granted by this Court, in any of these petitions, shall remain in force till 21.09.2007. However, no such ad-interim relief has been granted on the earlier occasion as it appears from the order sheets. On 12.03.2008, while granting Rule, this Court has granted interim relief in terms of prayer clause 'E' of the petition.
3. Learned counsel for the respondents has placed on record the judgment and decree passed by the trial Court on 30.06.2007 in Regular Civil Suit No.32 of 2006. It thus

appears that before the interim relief granted in terms of prayer clause 'E' on 12.03.2008, the trial Court has dismissed the suit on 30.06.2007.

4. Defendant nos.2 to 4 had challenged the jurisdiction of the Civil Court and raised the issue of jurisdiction. The trial Court, vide impugned order dated 09.11.2006 held that the Civil Court has jurisdiction to try and entertain the suit. However, it appears that instead of original defendant nos.2 and 4, defendant no.1, who happened to be an employee of Railways, has preferred the present writ petition. However, since Regular Civil Suit No.32 of 2006 is now disposed off, this Writ Petition has become infructuous and the same is accordingly disposed off. Rule discharged.

(V. K. JADHAV, J.)

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