

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 WRIT PETITION NO.848 OF 2009
WITH CA/10894/2010 IN WP/848/2009

MURLIDHAR DATTATRAYA RADE
VERSUS
DHANSING MAHARU PATIL THR LRS YASHODABAI AND ORS

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Advocate for Petitioner : Mr. Pramod Gaikwad h/f Mr.
A.G.Talhar.

Advocate for Respondent Nos.1A to 1D : Mr. M.M.Bhokarikar.

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

PER COURT :-

1. The learned counsel for the petitioner Mr. Pramod Gaikwad holding for Mr. A.G.Talhar, on instructions, submits that during pendency of this Writ Petition, the suit bearing Regular Civil Suit No.23 of 1985 came to be disposed off on 30.08.2010. The petitioner / plaintiff sought the amendment in the plaint by filing an application under Order 6 Rule 17 of the Civil Procedure Code. By impugned order dated 23.10.2008, the Trial Court has rejected the said application. Hence, this Writ Petition has been preferred.

2. By order dated 14.09.2009 while granting Rule, this Court has rejected the prayer about the interim relief. In view of the same and since the Regular Civil Suit No.23 of 1985 is now disposed off, this Writ Petition has become infructuous and disposed off accordingly.

3. Rule discharged.

4. In view of disposal of Writ Petition, Civil Application is also disposed off accordingly.

(V. K. JADHAV, J.)

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vmk/-