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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1480 OF 2020

Mr.Vinay Pande and ors.

....Petitioners

Vs.

Mr.Satyanarayan Nandkishore Pande and ors. Respondents

Mr.Dhiraj Mirajkar i/b Mr.Vikas Kapile, for the Petitioners.

Mr.Kirit Hakani a/w Ms.Niyati Hakani, for Respondent No.1.

CORAM : M. S. KARNIK, J.

DATE : 22nd MARCH, 2021

P.C. :

. It is pointed out by learned Counsel for Respondent No.1 – original disputant that dispute itself is now finally decided by the judgment and award dated 12/03/2021. The order under challenge in this Petition was an interlocutory order. Now that the dispute itself is decided, the remedy for the Petitioner-original Respondents No.2a & 2b if they are aggrieved by the final judgment and award of the Co-operative Court No.IV would be to file a substantive Appeal before the Co-operative Appellate Court. Even the issue as to whether the dispute is barred by

limitation has been answered by Judgment and award.

2. In this view of the matter, the Appellate Court to decide the Appeal on its own merits in accordance with law without being influenced by the observations made at the interlocutory stage either in the order passed below Misc. Application No. 11 of 2014 or the order passed thereon in Revision which is impugned in this Petition.

3. All contentions which are the subject matter of the order impugned in this Petition are left open to be decided in the Appeal if any filed.

4. Writ Petition is disposed of.

(M.S.KARNIK, J.)