

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

CIVIL APPLICATION (C.A.W.) NO.1006/2021
IN
WRIT PETITION NO.3821/2020 (D)

Dicksons Overseas Pvt. Ltd., Nagpur and another
..Vs..

State of Maharashtra and others

Applicant (intervenor) : Sharad Jejani S/o Atmaram Jejani

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.P. Khajanchi, Advocate for the petitioners.
Ms N.P. Mehta, A.G.P. for respondent Nos.1, 2 and 4 to 6.
Shri M.B. Limaye, Advocate for respondent No.3.
Shri R.H. Agrawal, Advocate for the applicant / intervenor.

CORAM :- SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED :- 4.8.2021.

Heard.

2. At the outset, we record the statement made by the learned counsel for the intervenor that intervenor unconditionally withdraws the allegations relating to playing fraud upon the Court as contained in this application. The statement so made and recorded is accepted by this Court.

3. We find that this application seeking intervention and dismissal of the petition has been filed after the petition has been finally disposed of. After the disposal of the petition, this court has become *functus officio* and,

therefore, this application is not maintainable before this Court and it deserves to be dismissed. However, in order to remove any doubt, although we feel that no doubt should be entertained by anybody as regards the continuation of the interim order passed by this Court on 28th December, 2020, we clarify that the interim directions dated 28th December, 2020 by operation of law have merged into the final judgment and order rendered by this Court on 5th July, 2021 and now it is the final judgment and order only which operate in the field. Therefore, **dismissed** with above clarification. No costs.

CIVIL APPLICATION (C.A.W.) NO.1014/2021

4. Heard. Considering the grounds taken in this application, we allow the application and extend the time by three more months to decide the application filed by respondent No.3, in accordance with law. Civil application is **disposed of**. No costs.

JUDGE

JUDGE

Tambaskar.