

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4339 OF 1997
WITH CA/7493/2022 IN WP/4339/1997 WITH CA/10050/2019 IN
WP/4339/1997 WITH CA/42/2016 IN WP/4339/1997 WITH
CA/10139/2016 IN WP/4339/1997

Ismail Khan Haji Abdul Rehman Khan
Since deceased through Legal Representatives
Arif Khan S/o Ismail Khan And Others ...Petitioners

Versus

Dagadu S/o Rambhaji Pagore
Since deceased through Legal Representatives
Ashok Dagadu Pagore & Others ...Respondents

Mr. S.P. Shah h/f. Mr. Mukul Kulkarni, Advocate for the
petitioners.
Mr. Rajendra Deshmukh, Senior Advocate a/w. Mr. Amol Joshi
i/by. Mr. Devang Deshmukh for the applicant in Civil
ApplicationNo. 10139/2016.
Mr. S.B. Pulkundwar, AGP for State.
Mr. P.S. Paranjape & Mr. Joslyn Menezes, Advocate for
respondents No. 1(1) to 1(3).
Mr. B.Y. Wanjare, Advocate for Respondents No. 2, 3, 4-1, 5-1
Mr. R.K. Jadhavar, Advocate for respondents No. 7 to 11.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 28th SEPTEMBER, 2022

ORDER :

1. The learned advocate for the petitioner fairly pointed out that the impugned order dated 06.10.1997 passed by the Sub Divisional Officer, Aurangabad in Case no. 97/MAC/MHE/CR/66, is set aside by the Maharashtra Revenue Tribunal Mumbai.

2. The learned advocate for the petitioner has placed on record order passed by Maharashtra Revenue Tribunal, Mumbai, in Case No. 52/A/97/A, dated 13.11.98, by which, order impugned in the present petition is set aside. According to the learned advocate for the petitioner the order passed by Maharashtra Revenue Tribunal, Mumbai has attained finality. In that view of the matter nothing survives in the petition. The writ petition is disposed of as *infructuous*.

3. In view of disposal of writ petition civil applications stand disposed of.

[NITIN B. SURYAWANSHI, J.]