

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 932 OF 2016**

Bhimrao Sahebrao Misal and another .. Petitioners

**Versus**

Parmeshwar Prabhakar Misal and others.. Respondents

Shri Suhas R. Shirsat, Advocate for the Petitioners.

Shri K. D. Khade, Advocate for the Respondent No. 1.

**CORAM : SANDEEP V. MARNE, J.**

**DATE : 13TH DECEMBER, 2022.**

**PER COURT :**

. Writ petition is filed challenging the order permitting amendment of plaint. Learned counsel for the petitioner submits that during pendency of present petition, the suit itself has been dismissed in default and accordingly petition has become infructuous. No costs.

2. Writ petition is disposed of as infructuous. In the event of the suit being restored, the petitioner shall have necessary liberty to seek restoration of the present petition as well.

**[SANDEEP V. MARNE, J.]**