

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO.6211 OF 2018
WITH CA/3424/2019 IN WP/6211/2018
CA/8999/2019 IN CA/3424/2019 IN WP/6211/2018

PRAVINCHANDRA JINABHAI PATEL
VERSUS
DARSHAN ANILKUMAR PATEL AND OTHERS

...
Advocate for Petitioner : Mr. Bajaj Anil S.
Advocate for the respondents no. 3 to 5 : Mr. S.H. Tripathi
Advocate for respondents no. 6 and 7 : Mr. A.R. Syed
...

CORAM : MANGESH S. PATIL, J.

DATE : 23 JUNE 2022

PC :

Learned advocate Mr. Tripathi for respondents no. 3 to 5 submits that this writ petition arises out of an order passed by the trial court on the application (Exhibit - 128) in Special Civil Suit no. 115 of 2017. However, during pendency of this writ petition, the suit has been withdrawn by the respondents - plaintiffs and the trial court has also disposed of the suit as abandoned by passing order on 23-02-2022. He, therefore, submits that the writ petition becomes *infructuous* and may be disposed of.

2. Learned advocate Mr. Bajaj for the petitioner submits that valuable rights of the petitioner who was seeking to intervene in the suit would be defeated.

3. The consequences are inevitable. The suit has been abandoned which is a right inherent in the respondents - plaintiffs. Nothing survives. The petitioner may have his own remedies.
4. Writ petition is disposed of as *infructuous*.
5. Pending civil applications are disposed of.

[MANGESH S. PATIL]
JUDGE

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