

Anand

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

WRIT PETITION 5208 OF 2008

Arun Baban @ Mahadeo Arandkar .Petitioner

Vs.

Shrirang Bapu Jadhav & ors. .Respondents

Mr. Nikhil Wadikar a/w Mr. Pradip Zende i/b. Mr. Nandu Pawar, Advocate, for the Petitioner

Mr. Anil V. Anturkar, Senior Advocate a/w Mr. Irvin D'Souza i/b. Mr. Sugandh B. Deshmukh, Advocate, for Respondent 9 and 10

CORAM : ROHIT B. DEO, J.

DATE : 23.06.2022

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. It is a common ground that the Civil Suit from which the Petition enumerates is itself dismissed in default.

2. However, the learned counsel for the Petitioner points out that an Application for restoration of the suit is preferred and is pending.

3. As the situation stands today, the Civil Suit stands dismissed and there is no propriety in keeping the

Petition pending.

4. The Petition is dismissed with liberty to the Petitioner to seek revival of the Petition in the event the Civil Suit is restored to file. All contentions are kept open.

(ROHIT B. DEO, J.)