

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1249 OF 2021**

Govind Yeshwant Khopde

.....Petitioner

Vs.

Tilak Khetshi Shah (Since Deceased)
Through LR Ms. Shital Shah & Ors.

.....Respondents

Mr. Om Prakash Singh for the Petitioner.
Mr. Shravan Vyas for the Respondent Nos.1 & 2.**CORAM : A. S. GADKARI, J.****DATE : 28th APRIL, 2022.****PC:-**

Learned Advocate for the Respondent Nos.1 and 2 submitted that, impugned Order dated 26th February, 2020 passed in Revision Application No.355 of 2019 is arising out of Order dated 16th October, 2019 passed below Exh-7 in Obstructionist Notice No.229 of 2018 and both the Orders i.e. 26th February, 2020 and 16th October, 2019 are impugned herein.

2. He submitted that, the executing Court has now decided the said Obstructionist Notice No.229 of 2018 finally and against the said Order, the Petitioner has already preferred an Appeal before the Appellate Bench of the Court of Small Causes at Mumbai. Therefore, the Present Petition has become infructuous and may be disposed off.

3. Learned Advocate appearing for the Petitioner has no dispute about the facts recorded in the above paragraphs.
4. In view thereof, Petition is disposed off, as infructuous.

(A.S. GADKARI, J.)