

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

WRIT PETITION NO.7350 OF 2017

Mr. Shevantabai Gopal Holkar and Anr. ..Petitioners

Versus

Leelabai Devram Rajguru and Ors. ..Respondents

Mr. Sushant S. Prabhune, for the Petitioners.

Mr. Bhushan Walimbe i/by Savita A. Prabhune, for Respondent
Nos.3, 4 & 5.

CORAM : NITIN W. SAMBRE, J.

DATE : 25th FEBRUARY, 2022

PC.

1. The suit in which impugned order is passed is informed to have been dismissed on 16th December, 2022.

2. As a consequence, the petitioners/plaintiffs have already moved before the Court below for restoration of the suit, which I am informed is under active consideration.

3. In the aforesaid background, since the suit itself is dismissed in default, the present writ petition will not survive at this stage. As such, same is dismissed for want of prosecution.

4. However, this will not preclude the petitioners/plaintiffs for restoration of the petition, in case if the suit is restored.

[NITIN W. SAMBRE, J.]