

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

WRIT PETITION NO. 8419 OF 2016

Yashwant Balasaheb Rawal

...Petitioner

Vs.

Pandurang Baburao Rawal

...Respondent

Adv. Abhishek Nandimath i/b Adv. Umesh Mankapure for the Petitioner.

None for the Respondent.

CORAM : VALMIKI SA MENEZES, J.

DATE : 20TH DECEMBER, 2022.

P.C. :

1. The petitioner has challenged the order dated 7th June, 2016 passed by the Civil Judge, Junior Division, Miraj in Regular Civil Suit No.94 of 2012 closing his evidence in the Suit. In the meantime, Regular Civil Suit No.94 of 2012 came to be decreed by a Judgment and Order dated 18th January 2017.

2. The decree has been challenged by the petitioner in Regular Civil Appeal No.76 of 2017 before the District Judge, Sangali and by a judgment dated 05th May 2022, the appeal came to be allowed and the decree dated 18th January

2017 has been set aside remanding the Suit back to the trial court for a fresh decision, after giving the defendant-petitioner herein an opportunity to give evidence in the matter.

3. In view of this position, this Petition has become infructuous and same stands dismissed.

[VALMIKI SA MENEZES, J.]