

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8190 OF 2017

M/s. National Building Corporation

... Petitioner

Versus

Zita Goenka (Nee Patil) and Anr.

... Respondents

Mr. Amol Joshi and Tejaswi Ghagh i/b Poorvi Kamani for
Respondent No. 1.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 30th November, 2022

P.C. :

1. Learned counsel appearing on behalf of Respondent No.1, the original disputant, submits that the petition has been rendered infructuous. He submits that the challenge in the petition is to the order dated 27th June 2017 passed by the Co-operative Appellate Court rejecting the application for framing a preliminary issue under section 9A of the Code of Civil Procedure, 1908, however, subsequently the dispute itself has been decided by the Co-operative

Court and the appeal against the judgment and order of the Co-operative Court is pending before the Co-operative Appellate Court.

2. In view of the above statement, writ petition is disposed of as infructuous.

(SHARMILA U. DESHMUKH, J.)