

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

**WRIT PETITION NO.3089 OF 2022
WITH
WRIT PETITION NO.3103 OF 2022**

Siddharth Rajendra Bhate

..Petitioner

Versus

Amita Vinod Bhate and Ors.

..Respondents

Mr. P. S. Dani, Senior Advocate i/by Kuldeep U. Nikam, for the Petitioner in both Petitions.

Mr. Vineet Naik, Senior Advocate a/w Mr. Jehangir Jejeebhoy, Amod Eklaspur, Ayaz Bilawala & Yogesh Gaikwad i/by M/s. Bilawala & Co., for the Respondent Nos.1 & 2 in both Petitions.

CORAM : NITIN W. SAMBRE, J.

DATE : 25th APRIL, 2022

PC.

1. Heard Mr. P. S. Dani, learned senior counsel for the petitioner.

2. The legality of the order below Exh.142 dated 3rd September, 2021 passed by the 9th Joint Civil Judge, Senior Division, Sangli and Exh.168 dated 21st January, 2022 passed by the 7th Joint Civil Judge, Senior Division, Sangli is under challenge. The suit is for declaration of ownership, compensation and recovery of amount.

3. I am informed that the trial in the suit is already concluded, as the parties have completed their final arguments and the suit is posted for judgment.

4. In the aforesaid background, having regard to the existing position of law that the Court cannot interfere after the matter is posted for judgment, both these petitions are disposed of without examining the legality of the orders impugned.

5. However, this will not preclude the petitioner from raising issue in relation to the validity of orders impugned in an appeal, if final verdict goes against the petitioner.

[NITIN W. SAMBRE, J.]