

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

WRIT PETITION NO. 12035 OF 2015

WITH

WRIT PETITION No. 3969 OF 2015

Manoj Aba Changarde

...Petitioner

Versus

Mumbai Metropolitan Regional Development Authority

Through Chairman/Commissioner And Anr.

...Respondents

Adv. Balasaheb R. Deshmukh for the petitioner.

CORAM : VALMIKI SA MENEZES, J.

DATE : 22nd DECEMBER, 2022.

PC. :

1. Learned Advocate for the petitioner submits that the Long Cause Suit No.1135 of 2016 pending before the City Civil Court at Bombay, from which the present petition arises, was dismissed in default. He submits that in view thereof, the subject matter of the present petition does not survive. He submits that in view of the dismissal of the suit, the present petition may be dismissed as infructuous, with liberty to institute a fresh proceedings on the same subject matter in the event the suit is restored.
2. Petition is dismissed as infructuous with liberty as prayed for.

[VALMIKI SA MENEZES, J.]