

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

WRIT PETITION NO. 457 OF 2015

Gadgil Developers Pvt. Ltd.

...Petitioner

V/s.

Shri Sadashiv Siddhappa Bolkothe
through his LRs and Ors.

...Respondents

Ms. Shaba N. Khan i/b. Mr. R. V. Govilkar, for the Petitioner.
Mr. H. D. Chavan i/b. Mr. T. D. Deshmukh, for the Respondent
No.1.

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**CORAM : C.V. BHADANG, J.
DATE : 14 OCTOBER 2022**

P.C.

. The learned counsel for the Petitioner states that Dispute No.102/2011 pending before the Co-operative Court at Pune has been dismissed in default on 16 December 2021 and as such, nothing survives in this petition.

2. The Petitioner is the original Respondent in the said dispute. The Petitioner had filed an application under Order VII Rule 11 of Code of Civil Procedure for rejection of the said dispute which application was allowed and the dispute was dismissed which order has been set aside by the Co-operative Appellate Court. The said order passed by the Co-operative

Appellate Court is subject matter of challenge in this petition.

3. In view of the fact that dispute itself is dismissed in default, nothing survives in the petition. The petition is disposed of, as infructuous, with no order as to costs. Liberty to the Petitioner to renew the challenge in the event Dispute No.102/2011 is restored by the learned Co-operative Court, Pune.

C.V. BHADANG, J.