

VRJ

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

WRIT PETITION NO.8769 OF 2009

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Shantinanth Bapuso Herwade

... Petitioner

V/s.

Prakash Bapuso Herwade

... Respondent

Ms. Stefy Dias i/by Mr. Umesh Mankapure for the
respondent.

CORAM : AMIT BORKAR, J.

DATED : NOVEMBER 3, 2023

P.C.:

1. On 20th September 2022 this Court recorded a statement on behalf of the applicant that since the suit itself is rendered infructuous, nothing remains to be decided in the writ petition.
2. It appears that this Court on 4th March 2010 issued rule, however, it was clarified that pendency of this writ petition shall not operate as stay to the suit proceedings.
3. Since this Court has already recorded statement of the applicant that cause of action does not survive, the writ petition is disposed of as infructuous.

(AMIT BORKAR, J.)