

Shabnoor

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

WRIT PETITION NO.805 OF 2023

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Yashwant Balu Panutrekhar & Ors. ... Petitioners
V/s.
Sahyadri Sahkari Vikas Society & Anr. ... Respondents

Mr. Shrishailya S. Deshmukh for Petitioners.

Mr. Anand S. Patil, for Respondents.

CORAM : AMIT BORKAR, J.

DATED : JULY 10, 2024

P.C.:

1. The petition arises out of refusal by the Courts below to restrain the defendants from constructing over the suit property. It is informed by the advocate for the respondents that during pendency of proceeding the construction over the suit property is completed; therefore, the relief sought in an application for temporary injunction has become infructuous.
2. The writ petition is, therefore, dismissed as infructuous.
3. However, it is made clear that this Court has not expressed any opinion on merits and the Trial Court shall decide the suit uninfluenced by the observations made in the order impugned.

(AMIT BORKAR, J.)