

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

WRIT PETITION NO. 618 OF 2018

Yusuf Abbas Bagwan

.. Petitioner

Vs.

Bhartesh Rajkumar Gandhi & Ors.

.. Respondents

Mr. R. D. Mishra for Petitioner.

Adv. Rushabh D. Phade h/f. Adv. Surel S. Shah for Respondents.

CORAM : M. M. SATHAYE, J.

DATED : 20th FEBRUARY, 2024

P.C.:

1. Heard learned Counsel for the parties.
2. Pursuant to earlier order dated 25/09/2023, learned Counsel for the Respondents have placed on record possession receipt dated 23/09/2023 executed in Darkhast No. 06 of 2015 under which the Respondents have received possession of the subject matter property and order dated 31/01/2024 by which the said execution Application is disposed of, as the decreed is satisfied.
3. Learned Counsel for the Petitioner does not dispute this position.
4. Perusal of the impugned order dated 29/09/2017 shows that it is passed in proceedings arising out of obstruction made by the present Petitioner 3rd party claiming to be in possession of the subject matter

property, which was rejected. Considering that the Respondents/decreed holders have already received possession of the subject matter property, nothing survives in the Petition.

5. The Petition is accordingly dismissed as infructuous

6. All concerned to act on duly authenticated or digitally signed copy of this order.

(M. M. SATHAYE, J.)