



238-2022

1

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION (REVIEW) NO. 122 OF 2022
IN SECOND APPEAL NO. 147 OF 2021 (D)
WITH MISC. CIVIL APPLICATION (REVIEW) NO. 345 OF 2022
IN WRIT PETITION NO. 6703 OF 2019 (D)
(Girish s/o Ramshankar Upadhyay & Anr. Vs. Sharad s/o Ramshankar Upadhyay & Ors.)
WITH MISC. CIVIL APPLICATION (REVIEW) NO. 123 OF 2022
IN SECOND APPEAL NO. 148 OF 2021 (D)
WITH MISC. CIVIL APPLICATION (REVIEW) NO. 238 OF 2022
IN WRIT PETITION NO. 6702 OF 2019 (D)

(Girish s/o Ramshankar Upadhyay & Ors. Vs. Anantrai s/o Ramshankar Upadhyay (dead)
through LR's and Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.G. Bhangde, Senior Advocate with Shri R.M.
Bhangde, Counsel for the applicants.
Shri R.D. Hajare with Ms Kalyani Joshi, Counsel for
the respondents.

CORAM : ANIL L. PANSARE, J.
SEPTEMBER 2, 2024

MCA NOS. 238/2022 AND 345/2022

The learned Senior Counsel for the applicants submits that in view of order dated 20/8/2024 passed by this Court in Civil Application No. 250/2022 in Second Appeal No. 171/2018, particularly paragraph 13 thereof, these applications have become infructuous.

2] Accordingly, both the applications are disposed of as rendered infructuous.

MCA NOS. 122/2022 AND 123/2022

3] Registry shall process these applications in terms of the judgment passed by the Hon'ble Supreme Court in the case of *Malthes Gadda Pooja Vs. State of Karnataka And Others [(2011) 15 SCC 330]*.

4] The learned Senior Counsel has invited my attention to order dated 10/3/2022 to point out that the learned Counsel for the respondents had made a statement that he will not press for execution till 17/3/2022. This statement was continued from time to time.

5] The learned Counsel for the respondents made a request to decide the applications at the earliest. He then makes a statement that he will not press for execution till next date.

6] The request of early hearing be made before the Court before whom the applications will be listed. Registry to expedite listings of applications.

JUDGE

Sumit