



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.572 OF 2024

Dashrath S/o Wadguji Karemore and others .Vs. Ghanshyam S/o Wadguji Karemore
and another

WITH

WRIT PETITION NO.568 OF 2024

Pravin S/o Dashrath Karemore and another .Vs. Ghanshyam S/o Wadguji Karemore
and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. S.P. Deshpande, Advocate for petitioners.

Shri A.D. Dangore, Advocate for respondents.

CORAM : ANIL S. KILOR, J.

DATED : 03/05/2024

1. The common judgment and decree passed in R.C.S. No.31 of 2010 and R.C.S. No.25 of 2011 on 16.03.2022 was the subject matter of challenge in R.C.A. No.43 of 2022 and R.C.A. No.59 of 2022. By the said common judgment and decree, the petitioners were directed to hand over the possession of the suit property.

2. The application moved by the petitioners in R.C.A. No.43 of 2022 vide Exh.23 and in R.C.A. No.59 of 2022 vide Exh.8 for grant of stay to the effect and operation of common judgment referred herein above, came to be rejected. Hence, these petitions.

3. However, during the pendency of the present petitions, in Appeal Against Order No. 33 of 2022 filed by the petitioners between the same parties in relation to the suit property, this Court vide judgment and order dated 08.02.2024 allowed the Exh.5 filed by the petitioners herein, in R.C.A. No.43 of 2022 and R.C.A. No.59 of 2022 and thereby, restrained the respondents from disturbing the peaceful possession of the petitioners over the suit land.

4. Thus, in view of the judgment and order dated 08.02.2024 passed in Appeal Against Order No. 33 of 2022, the present petitions do not survive. Accordingly, both petitions are **disposed of**.

JUDGE