



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

CIVIL REVISION APPLICATION NO. 08 OF 2024

Kamlabai Ramesh Binekar & Ors.

Vs.

Parasram Pandurang Khandekar & Ors.

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

Court's or Judge's orders

Mr. Sandip Gulpude, Advocate for the Applicants.

Ms. Ragini K. Swami, Advocate for the Non-applicants.

CORAM : G. A. SANAP, J.

DATED : 16th AUGUST, 2024.

1. Learned advocate for the non-applicants/plaintiffs has placed on record the downloaded copy of the order dated 11th July, 2024, passed by the learned 2nd Joint Civil Judge (Junior Division), Kamptee, Dist. Nagpur. The copy is marked as 'Article-A'.

2. Learned advocate for the applicants/original defendants took 2-3 dates to obtain the necessary instructions. As far as this order is concerned, learned advocate today submits that he is unable to get instructions from the clients. However, learned advocate is not in a position to deny the order dated 11th July, 2024.

3. Perusal of the order dated 11th July, 2024 would show that the suit has been disposed of in accordance with the compromise arrived at between the parties at Exh.40, filed in the suit. It is, therefore, apparent that the suit has been disposed of in view of the compromise.

4. In this revision application, challenge is to the order dated 19th October, 2023, whereby the application made by the applicants/original defendants under Order VII Rule 11 of the Code of Civil Procedure, 1908, was rejected. In my view, in the backdrop of the disposal of the suit pursuant to the compromise arrived at between the parties, this proceeding does not survive. It has become infructuous. Accordingly, it is disposed of as having rendered infructuous.

(G. A. SANAP, J.)

Vijay