



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3787 OF 2024

**KANTABAI BALKRUSHNA SURASE
VERSUS
LATABADI GULABDAS BAIRAGI AND OTHERS**

...
Advocate for Petitioner : Mr. Om. D. Totawad h/f
Mr. Thorat Chandrakant R.

Advocate for Respondent No.1 : Mr. Amol Chate h/f Mr. S.J. Gaikar

...

CORAM : MEHROZ K. PATHAN, J.

DATE : 4th OCTOBER 2025

PER COURT :

1. Learned Counsel Mr. Totawad holding for Mr. Thorat for the Petitioner submits that the order under challenge was the rejection of the application of the stay filed by the Petitioner herein, during pendency of the appeal. The order dated 23.01.2024 also spoke about the urgent hearing of the appeal itself. During pendency of the Writ Petition, the appeal being RCA No.44/2023 is now finally decided and the appeal is allowed with costs, whereby the judgment and decree dated 07.03.2019 passed by the Civil Judge Junior Division, Kannad District Aurangabad in RCS No.67/2010 is also set aside. A copy of the judgment dated 10.09.2025 disposing of the appeal itself, is produced on record and marked as 'Exhibit-X' for identification.

2. In view of the submissions made herein above, the cause of the action for filing of the writ petition does not survive. The petition is therefore, disposed of as infructuous.

MEHROZ K. PATHAN
JUDGE

NATJEJB..