



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 12973 OF 2023

Nandalal Dhondu Patil And Others

VERSUS

Late Nandalal Waghmal Kukareja Through Lrs Garubai Nandalal Kukareja
And Others

....
WITH

WRIT PETITION NO. 12974 OF 2023

.....
Mr. Bhokarikar Madhav M., Advocate for the Petitioners
Ms. A. S. Deshmukh, AGP for the Respondents – State
Mr. G. V. Wani, Advocate for Respondents Nos.1.1 to 1.7

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CORAM : NEERAJ P. DHOTE, J.

DATE : 27.11.2025

PER COURT :

1. The learned Advocate for the Petitioners is present.
2. The learned AGP for the Respondents – State and the learned Advocate Mr. Wani for Respondent Nos.1.1 to 1.7 are present.

3. On the previous date i.e. 19/11/2025, following order was passed :

“1. The learned Advocate for the Petitioners seeks time to take instructions from the Petitioners as to whether the cause in the Petitions survives or not.

2. The learned Advocate for the Respondents submits that, the main proceedings are disposed of, and therefore, nothing survives in the Petitions.

*3. Hence, keep these Petitions for instructions and for passing appropriate orders on **27th November, 2025** [First on Board].”*

4. The learned Advocate for the Petitioners submits that, he contacted the briefing Advocate, however no instructions are received as to whether the

main proceedings are disposed off, and therefore, nothing survives in the Petitions.

5. The learned Advocate for the contesting Respondents tenders across the bar the papers, which include the order dated 31/01/2024 passed in Regular Darkhast No.20/2001, which reads as under :

ORDER BELOW EX.1

“Perused the Bailiff report Ex.207 and Standing crop panchnama, Panchanama, Kabja pavati, Receipt about acceptance of amount of crop, receipt issued by Judgment Debtor and pursis filed by Decree-Holder Ex.209. On perusal of above documents it appears that, the Decree-Holder received possession of decreetal property from the Judgment debtor. Hence, execution petition is disposed of as fully satisfied.”

6. Undisputedly, these Writ Petitions are filed against the interim orders passed in the very same Execution Proceedings, which are disposed off as fully satisfied. The said documents are taken on record and marked as **‘Article-X’** for identification.

7. There is nothing to controvert the said position that, the main Regular Darkhast proceedings are disposed off as fully satisfied. This goes to show that, the subject matter of the Petitions has become infructuous. Hence, the following order :

ORDER

[I] The Writ Petitions are disposed off as become infructuous.

[NEERAJ P. DHOTE, J.]