



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO. 187 OF 2022

NARYAN JIJA TAINAK AND OTHERS

VERSUS

BHAGWAN MAROTI TAINAK DIED LRS. BHAGIRATHIBAI BHAGWAN
TAINAK AND OTHERS

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Mr. M. M. Patil, Advocate for the Petitioners

Mr. J. D. Khade h/f Mr. S. J. Salunke, Advocate for the Respondents

CORAM : R. M. JOSHI, J.

DATE : 8th OCTOBER, 2025

P.C. :-

1. Learned Counsel for the Respondents makes statement that the original suit bearing R.C.S. No. 12/2011 is already decided by the Trial Court by judgment and decree dated 3rd December, 2024. Thus, it is his contention nothing survives in this Petition.
2. Learned Counsel for the Petitioner, on instructions, seeks withdrawal of the Petition with liberty to take exception to the order impugned herein before the First Appellate Court.
3. Since the order passed during the pendency of the suit has merged in to the final judgment and decree, Petition is dismissed as withdrawn with liberty as prayed.

(R. M. JOSHI, J.)

ssp