

FIRST APPEAL NO.196/99

30.09.2013:

Shri Sameer Verma, learned counsel for the appellant.

Shri Sameer Athawale, learned counsel for the respondent.

This order shall also govern disposal of F.A.No.250/2001.

This appeal is of the year 1999 yet despite the order of the Court, paper books have not been prepared by the bank. Shri Sameer Athawale submitted that these appeals have become infructuous because pursuant to the impugned judgment and decree the respondents have already realized the amount under a final decree prepared by the Court. It was further submitted that after realization of the amount, the original plaintiff is no more. Thus according to Shri Athawale, these appeals have been rendered purely academic. It is well settled that the Court will not exercise its jurisdiction in a matter which is purely academic. We find force in the submission of Shri Athawale and, therefore, the appeals stand dismissed as having been rendered infructuous. There shall be no orders as to costs.

Let a copy of this order be retained in the file of
F.A.No.250/2001.

(S.K.SETH)
JUDGE

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