

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL REVISION APPLICATION NO. 222 OF 2014
(Anant Naradrao Pore Vs. Vaijinath Naradrao Pore and
another)

Mr. Sunil B. Kakde, Advocate for the petitioner

CORAM : M.T. JOSHI, J.

DATE : 31/03/2015

ORAL ORDER :

1. Heard learned counsel for the petitioner.
2. The present petitioner, who was the plaintiff, wanted that the counter claim of the respondent i.e. his brother, under which he claimed that the suit property is a joint family property, should be rejected.
3. It should, however, be noted that the application does not speak about any ingredients of the provisions of Order-VII Rule-11 of the Code of Civil Procedure. All the facts those are pleaded in the application are required to be enquired into on merit. Therefore, though the reasoning of the learned Civil Judge Junior Division regarding partition and joining of necessary parties, were not required to be made,

ultimately the application was rightly dismissed. I do not find any illegality in the impugned order. The present revision application is, therefore, dismissed.

[M.T. JOSHI]
JUDGE

npj/cra222-2014