

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11212 OF 2014

Subhash R. Mete

.. Petitioner

vs.

Kavita A. Jadhav & anr.

.. Respondents

Mr. S.R. Page for the Petitioner.

CORAM : M. S. SONAK, J.

DATE : 02 SEPTEMBER 2015.

P.C. :-

1] In this matter, ad-interim *ex-parte* relief was granted on 4 February 2015. Though attempts were made to serve the respondents, but such attempts were not borne any significant fruit.

2] There is no necessity to interfere with the impugned order, at this stage. This is because, the dispute really revolves around certain entries in the Roznama and record of whether or not some affidavit had been filed by the petitioner. Such dispute was raised at a very belated stage, i.e., at the stage when the matter was finally argued before the Trial Court.

3] However, it is made clear that in case, the Civil Suit No. 317 of 2011 is finally decided against the petitioner and the petitioner

chooses to institute substantive appeal against the same, then the petitioner shall be entitled to impugned the order dated 20 September 2014. All contention of all parties in this regard are, therefore, kept open.

4] With liberty as aforesaid, this petition is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)

dinesh

CERTIFICATE

“I certify that this Order uploaded is a true and correct copy of original signed Order.”

Uploaded by : Dinesh S. Sherla
Personal Assistant to the
Hon'ble Mr. Justice M.S. Sonak
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