

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Revision Application NO. 190 OF 2016

Mrs. Bharti Bhaskar Joshi

...Applicant

Versus

Atul Pratap Raval and Anr

...Respondents

....

Mrs.Neha Bhide i/b. Yogendra Pendse, Advocate for Applicant.

....

CORAM : R. G. KETKAR, J.

DATE : 02nd August, 2016

P.C.

1. Heard Ms. Neha Bhide, learned Counsel for the applicant, at length.
2. By this application under Section 115 of Code of Civil Procedure, 1908 (for short, 'C.P.C.'), the applicant, hereinafter referred to as the 'defendant', has challenged the judgment and order dated 18.11.2015 passed by the learned Judge, presiding over Court Room No.8 of the Court of Small Causes at Mumbai below Exhibit-19 in L.E. Suit No.165/191 of 2014. By that order, the learned trial Judge rejected the application filed by the defendant for framing preliminary issue in respect of jurisdiction to entertain the suit.
3. After arguing the application for quite sometime, Ms. Bhide seeks leave to withdraw the application with liberty to file application under Order XIV of C.P.C. for framing issue of jurisdiction as one of the issues at the time of framing of other issues. On the motion made by Ms. Bhide, application is allowed to be withdrawn and is dismissed with liberty as prayed for.

(R. G. KETKAR, J.)