

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION*

WRIT PETITION NO. 3285 OF 2015

Dineshkumar Jain Developers
Company Pvt. Ltd.

.. Petitioner

Vs

Rajiv Janardhan Deokar & ors.

.. Respondents

Mr.Rishikesh Soni a/w Mr.Tejas Gokhale i/b Ashok Purohit & Co.,
for the Petitioner.

***CORAM : N.M.Jamdar, J.
Tuesday, 22 November 2016.***

Oral Order :

The Petitioner has challenged the order dated 25 September 2015 passed by the Small Causes Court Judge, Mumbai, rejecting the application taken out by the Petitioner under Order I Rule 10 (2) of Code of Civil Procedure. It is not necessary to interfere or set aside the order as rights of the Petitioner have not been foreclosed by the impugned order. All that the learned Judge has stated that without necessary documents the application cannot be considered. In the circumstances, liberty to the Petitioner to move an application annexing sufficient and cogent material as to why the presence of the Petitioner in suit is necessary. Once such application is made it will be considered by the learned Civil Judge on its own merits. Writ Petition is accordingly disposed of.

(N.M.Jamdar, J.)