

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3743 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Chintan Shah for the petitioner

Mr.Yuvraj P. Narvankar for the respondent

CORAM : K. K. TATED, J.

DATE : AUGUST 9, 2016

P.C.:

1 Not on board. At the request of Advocate for the petitioner, matter is taken on board for urgent orders.

2 Heard the learned counsel for the parties.

3 By this petition under Article 227 of the Constitution of India, the Petitioner plaintiff challenges the order dated 18.3.2016 passed by Joint Civil Judge, Junior Division, Jath, Dist.Sangli below Exhibit-1, 162 and 163 in Regular Civil Suit No. 56 of 2013 rejecting petitioner plaintiff's application for recalling the order by which the Trial Court framed preliminary issue under section 9A of the Code of Civil Procedure, 1908.

4 The learned counsel for the respondent no.6 submits that in Trial Court matter is kept for final

hearing for preliminary issue on 25.8.2016. He submits that respondent no.6 already filed his written submissions.

5 Considering the fact that preliminary issue was framed in 2013 and 2014 and matter is kept on 25.8.2016 for final hearing whereas respondent no.6 already filed his written submission I do not see any substance in the petition.

6 Writ Petition stands rejected.

7 Trial Court is directed to decide preliminary issue on 25.8.2016.

JUDGE