

JPP

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

WRIT PETITION NO. 3133 OF 2016

Mrs. Mandakini Krushant Jadhav & Ors. ... Petitioners.

V/s.

Mrs. Dwarkabai Krushant Jadhav & Ors. ... Respondents.

Mr. Anand Kulkarni for the Petitioners.

None for the Respondents.

CORAM : N.M. Jamdar, J.

20 September, 2016.

Oral Order :-

Heard the learned Counsel for the Petitioners.

2. The learned Counsel for the Petitioners made a limited submission that it is not clear as to whether the Petitioner No.1 has been arrayed as Defendant No.1 or Defendant No.1-A in the Suit and therefore, there is likelihood of confusion as contradictory pleadings may be on record. The impugned order which is passed is not on the issue that has been sought to be agitated by the Petitioners. The Petitioners can always make an application to the

learned Civil Judge requesting clarification on the issue which is sought to be urged by the learned Counsel in this Court.

3. Since this course of action is open to the Petitioners, it is not necessary to interfere with the impugned order. It is open to the Petitioners to make an application to the learned Civil Judge in respect of the above contention.

4. The Writ Petition is accordingly disposed of.

(N.M. Jamdar, J.)