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

CIVIL REVISION APPLICATION NO.534 OF 2016

Shankar Rama Parad	..	Applicant.
V/s.		
Dinesh Anant Pandit	...	Respondent.

Mr. Sameer Pendse i/b. Mr.Ashwin Ranjane
& Mr. Pramod Kalwar for the Applicant.

Mr. Saurabh Oka for the Respondent.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE :13th DECEMBER, 2017.

P.C. :

1] Heard learned counsel for the applicant and learned counsel for respondent.

2] This revision is preferred challenging the order dated 11.8.2015, passed by Jt. Civil Judge J.D., Thane in R.C.S.No.761 of 2012, thereby rejecting the application at exh.13 filed by the petitioner for rejection of plaint under Order VII Rule 11 of Code of Criminal Procedure.

3] Learned counsel for both the parties submit that by keeping all the contentions raised by respective parties open and directing the trial Court to frame issue of limitation, they have no objection to dispose of this petition.

3] In view thereof, petition is disposed of by keeping all the contentions raised by both parties, in pursuance of application Exh.13 and the reply thereto, open and further giving necessary direction to the trial Court to frame issue as to, “Whether the suit is barred by law of limitation”.

[DR.SHALINI PHANSALKAR-JOSHI, J.]