

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

CIVIL REVISION APPLICATION NO.518 OF 2015

Shri Kisan Vitthal Kadam ... Applicant
Vs
Sou. Indumati Gahininath Vyavahare & Ors. ... Respondents
...

Mr. S. R. Ghanavat i/b. Mr. Vishwanath S. Talkute for the Applicant.
Mr. Hamid D. Mulla for the Respondent.

CORAM : M. S. SONAK, J.
DATE :24 NOVEMBER, 2017

P.C. :

1. In this case, it is reported that the suit has reached the stage of final hearing. The challenge in this Civil Revision Application is to the order by which the learned Trial Judge declined to reject the plaint under Order VII Rule 11 of the Civil Procedure Code. In the aforesaid circumstances, there is no necessity to keep the present Revision Application pending. In case the suit is decreed against the Applicant and the Applicant chooses to institute a substantive appeal to question such decree, the Applicant is expressly granted liberty to challenge the order impugned in this Civil Revision Application as well.

2. With the liberty as aforesaid, this Civil Revision Application

is disposed of. There shall be no order as to costs.

3. The suit to be decided on its own merits and in accordance with law.

(M. S. SONAK, J.)