

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3423 OF 2013

Maruti Rambhau Chikhale and ors. ...Petitioners
Versus
Nandkumar Shankar Mashere ...Respondent

Mr. Abhaykumar Apte for the Petitioner
Mr. Chaitanya Nikte for Respondent No.1

CORAM: M.S.KARNIK,J
DATED: 2nd February, 2017

PC:-

1. The learned counsel for the Petitioners in all fairness states that since the trial has already commenced, he does not wish to press the present Petition.
2. Needless to mention that the Trial Court in its order at paragraph no.7 has already observed that at this stage, it cannot be accepted that the Plaintiff's Suit is time barred. The question whether the Suit is barred by limitation or not can

always be dealt with by the Trial Court at an appropriate stage.

3. The Petition is disposed of as not pressed.

4. All concerned to act on an authenticated copy of this order.

(M.S.KARNIK,J)