

JPP

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

WRIT PETITION NO. 167 OF 2017

Kanchanbai Kishor Shrishrimal. ... Petitioner.

V/s.

Mr. Lalit Motilal Shrishrimal and Anr. ... Respondents.

Mr. Avinash Avhad for the Petitioner.

Mr. S.C. Wakankar for Respondent 1.

Mr. V.R. Kasle i/b. Ram & Co. for Respondent 2.

CORAM : N.M. Jamdar, J.

09 January, 2017.

P.C. :-

Not on board. Taken on production board by way of praecipe.

2. Heard the learned Counsel for the parties. The impugned order is passed on 17 September 2016 which deals with recasting of issues. It is informed that the suit is kept for oral arguments tomorrow i.e. on 10 January 2017. At this belated stage, I am not inclined to examine the correctness of the interlocutory order. The learned Counsel for the Petitioner submitted that the

learned Small Causes Court Judge has concluded the issue as jurisdiction of the Court. This apprehension is unwarranted. The suit is not yet finally disposed off and the observations made in the interlocutory order are always prima-facie. The Writ Petition is accordingly disposed off.

(N.M. Jamdar, J.)