

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL REVISION APPLICATION NO.100 OF 2016

Dattatray s/o Pundlikrao Rohee and ors.

-vs-

Mala d/o Pundlikrao Rohee and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri R. L. Khapre, Advocate for applicants.

Shri M. R. Bhonsale, Advocate for Respondent Nos.1, 2b to 2e.

CORAM : DR (SMT) SHALINI PHANSALKAR-JOSHI, J.

DATE : JUNE 29, 2017

Heard learned counsel for both the parties.

In this revision application, order passed by the Court of 2nd Jt. Civil Judge, (S.D.), Akola rejecting the application filed by the present applicant under Order 7 Rule 11 C.P.C. is challenged. The said application was filed by the applicants-original defendants on the count that the suit is apparently barred by limitation.

Learned counsel for the respondents-plaintiffs has submitted that the trial Court has already framed the preliminary issue as to whether the suit is barred by limitation and on the said issue he has filed affidavit of evidence.

In view thereof, learned counsel for the applicants submits that he does not want to proceed with the revision application. Hence revision application stands disposed of as withdrawn.

JUDGE