

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 9679 OF 2018**

**RAJU KANHAYALAL SHARMA AND OTHERS  
VERSUS  
BALAJI MANDIR DEVASTHAN KURHA AND OTHERS**

...

Advocate for the Petitioners : Shri K. F. Shingare

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**CORAM : RAVINDRA V. GHUGE, J.**

**DATED : 01<sup>st</sup> NOVEMBER, 2018.**

...

***PER COURT :***

1. The petitioners are aggrieved by the order dated 08/08/2018, by which, the Trial Court has disposed off the objection under Section 9-A and has declined to consider the unusual request made by the plaintiff vide application Exhibit 133 that the issue under Section 9-A of the CPC be decided pre-emptorily.

2. The petitioners, original defendants now cannot be aggrieved in view of the ordinance dated 27/06/2018, by which, the Maharashtra Amendment introducing Section 9-A to the CPC has been deleted and in pending matters, all

objections having a semblance of Section 9-A, are now to be considered as objections under Order XIV Rule 2 of the CPC and all the issues are to be decided together.

3. In view of the above, this petition does not survive and stands disposed off.

**(RAVINDRA V. GHUGE, J.)**

shp/-