

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

914 WRIT PETITION NO. 10960 OF 2018

Sudam Trimbakrao Pophale

... Petitioner

Versus

Krishna Vitthal Padalkar & Anr.

... Respondents

...

Mr. Patil Jayant R., Advocate for the Petitioner

...

Coram : N.M. Jamdar, J.

Date : 28 November 2018

Oral Order:

By this petition, the petitioner/defendant has challenged the order passed below Exhibit-21 rejecting the application filed below order 21 under Rule 11(B). The learned Civil Judge, after examining the plaint, has found that the valuation done by the plaintiff is proper. The learned Judge has issued direction, which the plaintiff has failed to comply. This inquiry done by the learned Judge is in the context of order VII Rule 11(B). Considering the nature of the objection taken by the petitioner and the jurisdiction which the petitioner has

invoked, I am of the opinion that the issue raised by the petitioner regarding valuation, being kept open at the time of hearing of the suit. Accordingly, the Writ Petition is rejected.

N.M. Jamdar, J.

Sameer//