

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

903. WRIT PETITION No. 3696 of 2018

Prasad Raosaheb Bothe and others	...	Petitioners
Versus		
Sumanbai Babanrao Gore	...	Respondent

Mr. V.H. Dighe, Advocate for petitioners

Coram : N.M. Jamdar, J.

Date : 24 November 2018.

ORAL ORDER :

1. Heard the learned Counsel for the petitioners.
2. The petitioners have prayed that the issue regarding the jurisdiction be taken up as a preliminary issue and so also regarding the valuation. Both the requests are rejected by the learned Civil Judge. The learned Civil Judge has held that the valuation is proper; so also the jurisdiction is with the learned Civil Judge. The learned Counsel submitted that these observations without inquiry will bind

the petitioners during the course of the trial. This apprehension is unwarranted as these observations are only in the context as to whether the preliminary issues need to be framed.

3. In these circumstances, since no prejudice is caused to the petitioners, the writ petition is rejected.

N.M. Jamdar, J.