

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

CIVIL REVISION APPLICATION No. 269 OF 2016

Ashok Vasant Jangli

...Applicant

Versus

Shri.Ramchandra Gopal Kesarkar & Ors.

...Respondents

.....

Mr. Bakul Bhosale for the Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JULY 05, 2018**

P.C. :

1. This Civil Revision Application is directed against the order dated 11th March, 2016 passed by the learned Civil Judge, Junior Division, Guhagar thereby rejecting the applications below exhibits 82 and 83 in Regular Civil Suit No. 07 of 2009. The applicant is the original plaintiff.

2. The application below exhibit 82 was moved by the plaintiff seeking permission to file and contest the suit in a representative capacity and the application below exhibit 83 was moved for

making amendment to that effect in the plaint. However, the learned Judge of the trial Court rejected the applications, as there is no compliance under Order 1 Rule 8 of the Code of Civil Procedure, 1908 under which a party can file and contest the suit in the representative capacity. Hence, this Civil Revision Application.

3. Pursuant to the order dated 2nd July, 2018 passed by this Court, the learned Counsel for the applicant has taken instruction regarding the status of the original suit. He submits that the original suit is withdrawn by the plaintiff and another suit is filed.

4. In view of this submission, nothing remains in the Civil Revision Application and hence, disposed of.

(MRIDULA BHATKAR, J.)