

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

CIVIL REVISION APPLICATION NO.445 OF 2017

Urmila M. Abhyankar

... Applicant

Vs.

Vidya Jaswir Waahan

... Respondent

Mr.S.S. Punde for the Applicant

Mr.Saurabh Butala for Respondent

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JUNE 29, 2018

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Civil Revision Application is directed against the order dated 16.3.2017 passed by the II Joint Civil Judge, Junior Division, Chiplun, holding that the Court is having jurisdiction. The order is passed on the application filed by the defendant, below exhibit 17, for framing the preliminary issue. While answering the preliminary issue, the learned Judge held that the civil Court has jurisdiction.
3. In view the Maharashtra Ordinance No.XVIII of 2018 dated 27th June, 2018, savings clause 3(2) thereof which reads as under, this petition abates:

3(1)...

(2) in all the cases, where a preliminary issue framed under section 9A has been decided, holding that the court has jurisdiction to entertain the suit, and a challenge to such decision is pending before a revisional Court, on the date of commencement of the Amendment Ordinance, such revisional proceedings shall stand abated:
....”

4. Accordingly the petition is disposed of as abated.

(MRIDULA BHATKAR, J.)