

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No. 222 OF 2014
WITH
CIVIL APPLICATION No. 258 OF 2014 IN A.O. No. 222 OF 2014

Smt. Mulabai Dayalal Fofal & Ors. ... Appellants/Applicants
Vs.
Pratap Jitendra Makwana & Ors. ... Respondents

Mr. Nitin S. Parkhe, Advocate for the appellants/applicants.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 15th January, 2018.

P.C.:

This Appeal from Order is filed against the order dated 5th February, 2014 passed by the learned Judge of the City Civil Court, Greater Bombay thereby refusing the ad-interim relief to the plaintiffs.

2. The learned counsel for the appellants/plaintiffs produced the order dated 16th January, 2017 passed by the learned Judge of the City Civil Court, Greater Bombay wherein the Court has passed the order on preliminary issue of jurisdiction and answered that the Court has no jurisdiction to try the suit in view of Section 91 of Maharashtra Cooperative Societies Act, 1960 and rejected the plaint under Order 7 Rule 11 of the Code of Civil Procedure.

3. The order dated 16th January, 2017 is taken on record and marked as Exhibit 'X' for identification.
4. In view of this submission, Appeal from Order has become infructuous, hence dismissed.
5. In view of dismissal of Appeal from Order, Civil Application does not survive and the same is accordingly disposed of.

(MRIDULA BHATKAR, J.)