

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

CIVIL REVISION APPLICATION ST. NO. 7814 OF 2018

Smt. Sedubai Sudam Bhoir & Ors.

...Applicants

Versus

Partner of M/s. Sairaj Builders
& Developers, Through partners
Shri Ishwarbhai Narayan Patel & Ors.

...Respondents

.....

Mr. Manoj M. Badgujar for the Applicants.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JULY 2, 2018**

P.C. :

1. This Civil Revision Application is directed against the Order dated 31st July, 2017 passed by the learned 3rd Jt. Civil Judge, Senior Division, Kalyan, holding that the suit is within limitation. The present applicants i.e., defendants nos. 11 to 16 and 18 preferred an application below exhibit 42 under Section 9A of the Code of Civil Procedure, 1908. While deciding the preliminary issue, the learned Judge of the trial Court has held that the suit is within limitation.

2. In view of the Maharashtra Ordinance No. XVIII of 2018 dated 27th June, 2018, saving clause 3 (2) and proviso thereto, this Civil Revision Application abates. The trial Court to proceed.
3. Pursuant to the Ordinance, if there is no enactment, then the learned Counsel for the applicants is given liberty to recall this order.
4. Accordingly, the Civil Revision Application is disposed of as abated.

(MRIDULA BHATKAR, J.)