

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

CIVIL REVISION APPLICATION NO. 218 OF 2017

Smt.Bageshri Milind Kshirsagar & Ors.

...Applicants

Versus

Smt.Shanta Vasant Deshpande
(Deceased)
(Legal heirs sons and married daughter
brought on record)
1a.Sanjiv V Deshpande & Ors.

...Respondents

.....

Mr.Vishal Kanade I/b. Mr. Satish S. Raut for the Applicants.
Mr.A.V.Anturkar, Senior Advocate I/b. Mr. S.C.Wakankar for
Respondent Nos. 2B, 4 to 8.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: JULY 04, 2018**

P.C. :

1. This Civil Revision Application is directed against the order dated 2nd December, 2016 passed by the learned Judge, Small Causes Court, Pune thereby rejecting the application below Exhibit 43 filed by the applicants/defendant Nos. 1 to 5 and 9 under Section 9A read with Order 14 of the Code of Civil Procedure, 1908. A preliminary issue challenging the jurisdiction of the Small Causes Court was decided and held in favour of the plaintiff by the learned Judge of the trial Court.

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 and is disposed of as abated. If there is any other issue under Order 14 or any application under Order 7 Rule 11, the Court can proceed and decide.
3. It is made clear that pursuant to the Ordinance, if there is no enactment, then the learned Counsel for the applicants is at liberty to move this Court for recall of this order.
4. Civil Revision Application is disposed of as such.

(MRIDULA BHATKAR, J.)