

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

CIVIL REVISION APPLICATION NO.182 OF 2016

M/s.Mantra Majestic Park

... Applicant

Vs.

Shri Kiran Bharat Tambe & Ors.

... Respondents

Mr.A.P. Kulkarni for the Applicant

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JUNE 25, 2018**

P.C. :

1. The applicant is the original defendant No.1, who has moved an application under Order 7 Rule 11 on the ground of insufficient payment of court fees. The Court directed the plaintiff to pay more fees within 30 days from the order i.e., till 26.2.2015 and the plaintiff thereafter sought time. Thereafter, he preferred application under section 148 of the Civil Procedure Code. It was allowed by the Court under 147 of the Civil Procedure Code and the plaint was not rejected. In this case, the order dated 2.9.2015 which is under challenge itself is sufficient to put an end to this issue. The operative portion of clause (2) of the order dated 2.9.2015 is as follows:

“2. Plaintiff is given liberty to file Court fee stamp till 11.09.2015 only, failing order of rejection of plaint be passed on Exh-1.”

2. Considering this operative order, I am of the view that there is nothing in this petition. Hence, the application is disposed of accordingly.

(MRIDULA BHATKAR, J.)