

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3900 OF 2019

Mr. Balajirao Laxmanrao Nalge & Ors. ...Petitioner

Versus

Vijaya Sainath Nalge & Ors. ...Respondents

.....
Mr. C.V.Thombre, Advocate for the Petitioner.
.....

CORAM : **RAVINDRA V. GHUGE, J.**

DATE : **12-07-2019.**

PER COURT :

01. This is a classic case of vexatious litigation.

02. The original opponent Nos. 2 and 3 were minors, when R.J.E. No. 6/2009 was filed before the learned Civil Judge, Senior Division, Kandhar. Opponent No. 1 moved an application bringing it to the notice of the Court that the two minors had turned major during the pendency of the proceedings. To counter the said purshis Exh. 114, the petitioners filed application Exh. 118. The Trial Court has passed an Order on 5.10.2016, impugned herein, merely directing the petitioners to take steps as is prescribed under Order 33 Rule 12. This Order has been challenged by

the petitioners in this Court which is quiet surprising.

03. Considering the above, this petition is dismissed by imposing cost of Rs. 1,000/- which the petitioner shall deposit before the Trial Court in R.J.E. No. 6/2009 on or before 3.8.2019, failing which the Trial Court would dismiss the application for non-compliance of the Court's directions.

[RAVINDRA V. GHUGE]

JUDGE

Dahibhate/-