

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO.12533 OF 2018

SHAMSHODDIN JIYAYODDIN KAZI AND OTHERS
VERSUS
THE COLLECTOR JALGAON AND OTHERS

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Advocate for Petitioners : Shri Deshmukh Anand I.
AGP for Respondents 1 & 2 : Shri Yadav S.R.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: January 29, 2019

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PER COURT :-

1. The petitioners are original plaintiffs, who are aggrieved by the order dated 3.4.2018 passed by the trial Court, by which, their RCS No.123 of 2015 has been dismissed by rejecting the plaint under Order VII Rule 11 of the CPC, on account of there being no cause of action.

2. Since the petitioners have a statutory remedy available under the CPC, this petition is disposed off with liberty to avail of the remedy. The time spent by the petitioners in this Court from 3.9.2018 shall be a ground to be canvassed for condonation of delay, if any.

(RAVINDRA V. GHUGE, J.)

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