

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4855/2017

Chairman/Director
Precicast Pvt. Ltd.

... Petitioner

V/s.

Uttam Ganpatrao Jadhav

... Respondent

Mr. Mandar Limaye for the Petitioner
Mr. P. D. Pise for Respondent No.1.

CORAM: K.K. TATED, J.

DATED : JANUARY 23, 2019

P.C. :

1 Heard. After arguing for some time, both the parties filed minutes of order dated 23.01.2019 duly signed by the respective advocates. Same are taken on record and marked "X" for identification. The minutes of order read thus:

MINUTES OF ORDER

- "1. The Petitioner (*Original Defendant*) is challenging the order dated 28 November 2016 passed by 6th Joint C.J.J.D. Sangli in Application filed below Exhibit-13 under the provision of order VII Rule 11 under the Code of Civil procedure for rejection of Plaint.
2. The impugned order dated 28 November 2016 passed by 6th Joint C.J.J.D. Sangli is hereby quashed and set aside and the Application below Exhibit - 13 filed by the Petitioner

under the provisions of Order VII Rule 11 is restored to file subject to payment of costs of Rs. 10,000/- (*Rupees Ten Thousand Only*) payable to the Respondent (*Original Plaintiff*) on or before 31 January 2019.

3. The Learned 6th Joint C.J.J.D. Sangli would decide the Application below Exhibit – 13 under Order VII Rule 11 filed by the Petitioner, as expeditiously as possible and in any event on or before 31 March 2019.
 4. The Petitioner would pay an amount of Rs. 10,000/- (*Rupees Ten Thousand Only*) by way of costs to the Respondents via Cheque or Demand Draft or NEFT Payment on or before 31 January 2019, failing which the Petition stands dismissed, without further reference to the Court.
 5. The Petition stands disposed off in terms of the Minutes of Order with no order as to costs.”
- 2 The Writ Petition stands disposed of in terms of the minutes of order.

(K. K. TATED, J.)