

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12318 OF 2017

Habib Umar Khan

...Petitioner

vs.

Sumeet Ganpatrao Bachewar and Ors .

...Respondents

None for the Petitioner

Mr. Pramod Sakhadeo, for Respondent Nos. 2 to 4.

Mr. R.P. Kadam, AGP for Respondent No. 5.

CORAM : M. S. SONAK, J.

DATE : APRIL 25, 2019

P.C.:

. None for the Petitioner.

2. The praecipe filed on behalf of the A and J Law Associates indicates that circulation was applied for and the same was granted for today. The record indicates that on 27th February, 2019 this Court already ordered for placing of this matter on 3rd May, 2019. There is no reference to this order in the praecipe dated 10th April, 2019. This is not at all appropriate.

3. Today when the matter is called out, on the basis of circulation praecipe, neither the Petitioner nor their advocate are present. Besides, it appears that the order impugned in this Petition is the order by which the Petitioner's application under Order 7 Rule 11 of Code of Civil Procedure came to be rejected. As

against such order, the Petitioner has remedy to institute a Revision Application. Therefore, this Writ Petition need not be entertained.

4. For all the aforesaid reasons, this Petition is dismissed.

5. There shall be no order as to costs.

(M. S. SONAK, J.)