

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

CIVIL REVISION APPLICATION NO.147 OF 2019

[Vijay Nivrutti Pawar & Ors. Vs. Vasant Maruti Khatape & Ors.]

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Sachin V. Masurkar, Advocate for Applicants.
Mr. Pramod J. Pawar, Advocate for Respondents
No.1 & 2.

CORAM : R. G. KETKAR, J.

DATE : 12/07/2019

P.C.:

1. Heard Mr.Sachin Masurkar, learned counsel for the applicants and Mr. Pramod J. Pawar, learned Counsel for respondents No.1 & 2, at length.

2. By this application under Section 115 of the Code of Civil Procedure, 1908 (for short, 'C.P.C.'), the applicants, hereinafter referred to as 'defendants No.2 to 7', have challenged the order dated 12.7.2018 passed by the learned District Judge-17, Pune below Exhibit-59 in Civil Appeal No.158/2008. By that order, the learned District Judge allowed the application made by respondents No.1 & 2, hereinafter referred to as the 'plaintiffs', and directed the defendants No.2 to 7 to pay compensation @ Rs.25,000/- per month to the plaintiffs from the date of the decree till disposal of the appeal.

3. In view of proviso to Section 115 of C.P.C., Revision Application is not maintainable as by allowing revision application no proceedings will come to an end finally. In

view thereof, leave to convert C.R.A. into Writ Petition is granted. Amendment shall be carried out within one week from today. By a separate order, Petition is disposed of. Hence, office to convert C.R.A. into Writ Petition forthwith so that order disposing of petition can be uploaded. Order accordingly.

(R. G. KETKAR, J.)

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