

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2344 OF 2012
IN
SUIT NO.2249 OF 2012

Jasvinder Singh Dharam Singh Sohal ... Applicant
(Original Defendant Nos.5 to 7)

IN THE MATTER BETWEEN

Umesh H. Gandhi ...Plaintiff
V/S.
Harijitsingh D. Sohal & Ors. ... Defendants

Ms. Preeti Dambre I/b. Sophia Pinto for Applicant/ Original
Defendant Nos.5 to 7. Applicant in NMS/2344/2012
Mr. Mangesh S. Parte I/b. M/s. Deepak Chitnis Chiparikar & Co.
for Plaintiff.
Ms. S.P. Trivedi I/b. A. Bharat & Co. for Defendant Nos.1 to 4.

CORAM : B. P. COLABAWALLA, J.
DATED : 30th AUGUST, 2019.

P.C.

1. This Notice of Motion has been filed by Defendant Nos.5 to 7 calling upon this Court to frame an issue of Limitation as a preliminary issue under Section 9A of the Code of Civil Procedure, 1908. It has been brought to my notice that by an Order dated 05.10.2012 passed in Notice of Motion

(Lodging) No.2229/2012 (subsequently numbered as Notice of Motion No.88 of 2013), the preliminary issue of limitation under Section 9A has already been framed by this Court. In these circumstances, nothing survives in the above Notice of Motion No.2344 of 2012. The same is accordingly disposed of.

(B. P. COLABAWALLA, J.)