

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 264/2018

(RAMDAS YASHWANT BHOYAR & ANOTHER **VERSUS** STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P. Marpakwar, counsel for petitioners.
 Shri A.M. Balpande, A.G.P. for R-1 to 3.
 Shri S.C. Bhalerao, counsel for R-4.

CORAM : A.S. CHANDURKAR, J.

DATE : JUNE 17, 2019.

The petitioners seek to challenge the order dated 16.12.2017 passed by the trial Court rejecting the plaint under provisions of Order VII Rule 11 of the Code of Civil Procedure, 1908.

As a result of rejection of plaint, the suit stands dismissed in the light of the provisions of Section 2(2) of the Code of Civil Procedure, 1908. Rejection of plaint amounts to passing of a decree. With liberty to the petitioners to challenge the aforesaid order by filing appeal under Section 96 of the Code, the writ petition is disposed of.

The points raised in the writ petition are kept open. The interim order dated 31.01.2018 shall continue to operate for a period of three weeks from today.

JUDGE