

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION 3467 OF 2016

(Shri Kisanrao Ramji Chopde and anr..vs.. Sau. Sindhutai w/o. Marotrao Kubde and
ors)

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

Court's or Judge's orders.

Shri K.N. Dadhe, counsel for petitioners.
Shri S.W. Deshpande, counsel for respondents 1 to 3.

CORAM: ROHIT B. DEO, J.

DATE : 20th SEPTEMBER, 2019

Concededly, the suit is dismissed under Order 9 Rule 4
of the Code of Civil Procedure.

It would not be necessary to consider the rival
contentions.

Suffice it to state that the petitioners are entitled to file
fresh suit under the same cause of action.

In this view of the matter, the petition is disposed of
with liberty to the petitioners to file fresh suit on the same cause of
action.

JUDGE

RSB